

tis. **P**rima pinnula  
 dicitur. **V**nde pinnula. ne. summas  
 rei. tunc templo et murorum  
 et pinnula dicitur quod supereminet in  
 pinnis. quod aliter dicitur nota. et in  
 pinnula. scilicet. dicitur. **I**tem a. pinnula  
 naculus. cuiuslibet domus et tem  
 fastigium vnde. et fastigium est  
 pinnaculus templi. **I**tem. **E**ad  
 pinnulas. vnde fastigio posuit  
 Da. **V**nde dicitur pinnula et pinnaculus  
 summas templi quod dicitur tabula  
 Et naculus dicitur in os erat in  
 festina. quod tota erat plana  
 late quedam apodiationes  
 quis laboraret in eadem. pinnaculus  
 templi. erat eius deambulans  
 totum. quod erat tabulam planam  
 et similitate templi. **I**tem. **P**rophetas  
 sacerdotes et glorie. de quo dicitur  
 in aure auditis. predicare su  
 ta. **P**innaculus. si in pinnula ex  
**P**innaculus. pinnula compendium

tis. **P**rima pinnula  
 dicitur. **V**n pinnula ne. summas  
 rei. tpe temploꝝ t muruꝝ  
 t pinnula dicitur q supenit in so  
 pistis. q alit dicitur nota. t m  
 pinnula. l. e. dicitur. **I**tem a. pinnula h  
 naculu h. cuiusq domus t te  
 fastigiu vn. i. t statuit en fa  
 pinnaculu templi m. iij. ca. l.  
 p cuilibz. vbi fastigio po s h  
 Da vo d pinnat pinnaculu  
 summas templi q dicitur tabu  
 Et auculu d uos erat m  
 lestina. q tota cent plana  
 late quedam apodaciones  
 quis laborat inquit. pinnac  
 g templi. erat eius deambul  
 toru. q erat tabulatu plani  
 t similitate templi. i. s p dicit  
 sacerdotes s glo. de quo m  
 i aure auditis. p dicate su  
 ta. **P**innaculu. h i pinnula ex  
**P**innaculus. pinnula compo d



h. /  
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THE  
HISTORIE  
OF  
TITHES:

By R. P. B. D.

MAL. 3. 10.

*Bring ye all the tithes into the store-house, that there may be meat in my house, and prove me now herewith, saith the LORD of hosts, if I will not open you the windows of heaven, and poure you out a blessing, that there shall be no room to receive it.*



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GENES. 28. VERS. 20, 21, 22.

*And Iacob vowed a vow, saying, If God will be  
with me, and will keepe me in this way that  
I goe, and will give mee bread to eate, and  
rayment to put on,  
So that I come againe to my fathers house in  
peace: then shall the Lord be my God;  
And this stone which I have set for a pillar, shall  
be Gods house; and of all that thou shalt give  
me, I will surely give the tenth unto thee.*



His Text relates unto us an holy vowe,  
made by an holy man, (even the *Israel*  
of God) to the *Holyest of Holyests*, even  
the *Holy one of Israel*: in the handling  
whereof (not to speake more of vowes  
then my Text shall naturally afford me)  
these foure generalls offer themselves  
to our consideration.

- I. *Quis*, the person vowing, *IACOB*; and *Iacob* vowed.
- II. *Cui*, the person to whom the vow was vowed, *God*;  
*If God will be with me.*
- III. *Quale*, the kinde and qualitie of this vow, which is  
conditionall; *If God will be with me, then shall the  
Lord be my God, &c.*
- IIII. *Quid*, the materialls of the vow, or things vowed:

Which are three ;

1. That he would acknowledge the Lord for his God.
2. For a testimonie of this acknowledgement, that stone which he had set up should be called Gods house.
3. For the better maintenance of Gods house and worship therein, he would give unto the Lord the tenth of all, whatsoever the Lord should give unto him.

And first of the person; *vovebat Jacob*, Jacob the sonne of Isaac and Rebecca, two holy persons; and although the younger brother by birth, yet the elect and chosen heire unto all those blessed promises which God made to Abraham and his seed, and that whilest he was yet unborne: A most just, upright, and religious man, who for his uprightnesse and power with God, obtained the conquering name of *Israel*; from whence the people of God the Iewes afterward tooke their name. This holy man Jacob, making request unto God for the accomplishment of what God had promised, the better to binde himselfe to obedience, and to testifie his thankfulnessse, makes this vowe mentioned here in this Text: An action and duty, as commendable in Jacob, manifesting him a right religious and thankfull person; so is it in the practise of all Christians: it being not onely lawfull, but expedient, that as we pray unto God for his mercies; so to vow, not onely the performance of the generall vow of Christianitie; but the better to binde us to obedience, and to testifie the truth of our thankfulnessse to vowe the performance of some particular action, whether indifferent, or commanded, when it shall please the Lord graciously to heare us, and answer us according to our requests. Thus did Jacob here, thus Hannah, thus Paul, and diverse others of Gods Saints in all ages.

Gen. 25. 23.  
Gen. 32. 23.  
1 Sam. I. 11.  
Jud. 18. 18.

True it is, that we denie the use of voves according to the doctrine and practise of the Church of Rome.

As first, wee denie that there is now, or ever was, any  
necessitie



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necessitie of making vowes in externall exercises and outward things.

Deut. 23. 22.

Secondly, we denie that vowes made of things not commanded, as meates, drinckes, attire, &c, are essentiall parts of Gods worship; much lesse that they bring a man to an higher estate of perfection, then keeping of the Law can doe. We acknowledge them *admiracula cultus dei*, certaine staies and helpes in Gods worship, not *ipsum cultum*, the worship it selfe; the kingdome of God not consisting in eating and drinking, nor in externall, but in spirituall worship.

Rom. 14. 17.

Thirdly, we deny the necessitie of keeping and performing vowes made, especially if they be repugnant to the rules prescribed for vowes, holding that rule of Isidore infallibly true, *In malis promissis recinde fidem, in turpi voto muta decretum*, better to faile in a wicked promise then to performe, better to change an unlawfull vow then to keepe it: yea, vowes beeing made the better to enable us for Gods service, though the thing vowed were lawfull in our first act of vowing, yet finding them afterwards an hinderance to the duties of Gods worship, we may justly and lawfully cease further to performe and keepe them; according to the saying of the said Isidore; *Quod incaute vovisti ne facias; impia est promissio quæ cum scelere adimpletur*.

Isid. Hist. al.  
lib. 2. Synon.  
cap. 10.  
Isid. Pelus.  
lib. 4. Ep. 96.

Isid. Hist.  
ibid.

Lastly, we denie the vowes so frequently made and magnified by Papists to be just and lawfull: such is the vow of perpetuall chastitie and single life, the vow of voluntary povertie, and Monastique life, &c. and lastly, the vow of pilgrimage for visiting the holy city and sepulchre, the shrines and reliques of Saints; as beeing altogether repugnant to those rules and conditions required to make a vow lawfull.

For hee that will make vowes pleasing unto God (and so lawfull) must bee sure that they bee grounded upon,

and regulated by these particular rules and canons following.

Cypr. lib. 1.  
ep. 8.

1. They must bee *de rebus licitis & de necessariis*, of things lawfull and warrantable by the word of God: for the word of God beeing the ground of our faith, and whatsoever wee doe without faith beeing sinne; our vows must necessarily bee founded thereupon. Again I say *de necessariis*, not usually, not frequently, but in case of eminencie and necessitie; vows beeing *promissiones ardentius orantis*, promises made at the begging extraordinary blessings and graces at the hands of God.

Hieron. in  
hisor. Iephthae  
Eccles. 5. 1. 2

2. They must bee made considerately with deliberation and advise, not rashly and headily; so Solomon, *Keep thy foote when thou goest into the house of God, bee not rash with thy mouth, and let not thy heart bee hasty to utter a thing before God.*

Isid. Hisp. lib

Phil. 2. 13.

3. They must bee made of such things which are in our owne power to doe, and that *sub conditione auxilii divini*, under the condition of Gods helpe and assistance: it being he only that makes us able both to will and to doe of his good pleasure.

4. They must bee correspondent and agreable to our generall vow of Christianitie, and bee made the better to helpe us in the performance of the same; as when wee vowe to doe some thing, or to abstaine from some things in their owne nature lawfull, as wine, sleepe, or the like, either to take punishment on our selves for some sins committed, or to prevent sinne for the time to come, or to enable us the better for Gods service, or to testifie our thankfulness to God for such blessings as wee receive from him: as Iacob here in my text.

1. Cor. 9. 7.

5. They must bee *spontanea*, done with chearefulness and alacritie; for *hilarum datorem diligit Deus*, God onely loves a chearefull giver.

6. The person vowing must bee a Iacob, a person

sanctifi-



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sanctified, a beleeving Christian; in that, first *Abels person must be accepted before his sacrifice, and without faith it is impossible to please God.*

Gen. 4. 4.  
Hebr. 11. 6.

These bee the particular canons required in all vowes; by all which if you will examine the forenamed Popish vowes as they are in use and practise amongst them, wee shall finde them altogether repugnant to them, and so altogether unjustifiable, either in doctrine or in practise. But when vowes are regulated by these rules and conditions, then may a Christian lawfully vowe them, and beeing vowed must faithfully performe them.

2. The second generall considerable in this vowe is *Cui*, the person to whom Iacob vowed this vowe: where it is remarkable that he doth not make it to any of the Angels whom he saw ascending and descending by the ladder reaching to heaven; but he makes his vow unto God, and that not to any of the Idol gods of the Gentiles, but to the God of his forefathers, who appeared unto him on the top of the ladder, and made so large and loving promise of love and protection unto him.

And indeede in thus vowing did Iacob vowe aright; for howsoever the making of vowes bee no essentiall part of Gods worship, binding all men to performe them; yet when they are made, they may not without sacriledge bee made to any but God alone.

Thus the Scripture, DEUT. 23. 21. *When thou shalt vowe a vowe unto the Lord thy God, thou shalt not slacke to pay it.* and PSAL. 76. 11. *Vovete & reddite Domino Deo vestro.*

And howsoever the Church of Rome doth practise the contrarie, yet doe they confesse the same in doctrine: for thus the Canon lawe defines a vowe, *ut Deo dicat factam esse promissionem*, a promise made unto God. And Peter Lumbard (with whom agree the Schoolemen) *quod sit testificatio promissionis spontanea, qua Deo, & de his quae Dei sunt*

Can. 2.  
Cap. de voto

Thom. 2. 2.  
q. 83. art. 1.

*sunt, fieri debet*, it is the testification of a free promise made unto God of such things as appertaine to his speciall worship.

And diverse reasons may bee alledged for the prooofe of this conclusion.

1. To those onely must wee vowe, to whome onely wee must pray; voves beeing *promissiones ardentis orantis*: but wee must pray to God, and to him alone.

*Psal 50. 15.*

2. To him onely must wee vowe, of whome all good things are obtained; voves beeing made for the obtaining some blessings at the hands of God: but *every good giving and perfect gift comes from God*, and him alone.

*1am. 1. 17.*

*Acts. 1. 21.*

*Hebr. 10.*

3. To him onely must wee vowe, who knowes our hearts if wee vowe aright, and is able to punish us if wee faile to performe: but God is onely *καρδιογνώστης*, and to him onely doth vengeance belong: To him then, and to him onely must wee make our voves.

*B. M. r. Tom.*

*2. c. 14. titu.*

*de monachis*

*Item lib. 3.*

*de cultu*

*sanctorum.*

*cap. 9.*

And here wee justly meete with another impiety in practise in the Church of Rome, who as they invoke and pray to the Saints departed, so no lesse doe they make voves unto them; and having vowed, doe no lesse strictly, nay oftentimes more carefully performe them then the voves made to God himselfe. Thus one voves to the Virgin Marie, another to Saint Clare, one to Saint Francis, another to Saint Thomas, one to Saint Katherin, another to Saint Clement; yea wee may not onely say in this point of them as Ieremiah of the Israelites, according to the number of thy cities were thy gods O *Iudab*, nor yet onely as it was said of the Romanes, that *singulae professiones habebant propria Numina quibus vovebant*, every profession had their severall Deitie to whome they vowed; but *quot homines tot Numina*, almost as many Saints as particular men, yea as particular occasions. They have Men-Saints, & Women-Saints, Land-Saints, & Sea-Saints, &c. yea for every sickness, malady, and disease, whether of

*Ierem. 11. 13*



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man or beaſt, they have ſome particular Saint unto whom they pray and vowe upon obtaining that they pray for.

Neither have they onely particular Saints, but they have their Nationall Saints; to whom as they aſcribe a power of protection, ſo doe they both pray and vowe unto them. Thus have they Saint Dennis for France, Saint James for Spaine, Saint Paterick for Ireland, &c. onely poore Saint George for England have they thruſt out of the kalender of Saints. In which particular as wee cannot but laugh at their malice and envie, yet have wee juſt cauſe to praiſe God for the ſame; who hath turned their malice to our Saint George, to the manifeſtation of the truth of our profeſſion: this beeing our concluſion, That howſoever there bee *Gods many and Lords many*; ſome by adoption, as Kings; ſome by nuncupation, as idols &c. yet to us there is but one God the father, of whome are all things and wee in him, and one Lord Jeſus Chriſt, by whome are all things and we by him; and to this God alone, one in eſſence, three in perſons, God the Father, Sonne, and holy Ghoſt, doe we pray and make our vowes, as our Saviour, Sanctifier, Feeder, and Protector; and to him and his honour onely, beeing vowed, doe wee faithfully performe them.

1. Cor. 8. 5, 6.

3. The third generall is *quale votum*, of what kinde and qualitie this vowe of Iacob is. And here not to ſtand upon the diſtinction of vowes, this by the conſent of all is of that kinde which they call conditionall: *If God will bee with mee &c.*

But when I ſay it is a vowe made *ſub conditione*, wee muſt not underſtand it, as if it were *conditio obligantis*, an obligatory condition; as if he would not performe this vowe unleſſe God performed the condition: neither is it *conditio diffidentis*, as if hee miſtruſted that God would not performe what hee had promiſed, unleſſe hee made this vowe: but it is *conditio confidentia & gratitudinis*, a con-

C

dition

dition of confident thankfulnesse, a prayer and vowe no waies arising out of feare and distrust, but out of a full assurance of faith: being fully perswaded that God would performe what he had promised, he is not onely bold to begge at Gods hands for them; but out of an assurance to obtaine them, he promiseth by way of thankfulness, that when that time should come, he would then performe what he here particularly vowed.

Hebr. 11.1.

From whence, by the way, we may see the nature and propertie of true faith most lively expressed, that it is (as the Apostle tells vs) *the substance of things hoped for, and the evidence of things not seene*. It makes things that were & are not, as if they were; & things many yeares yet to come, as if they were present. Thus Iacob relying upon the promise of God, and beleeving his word, doth presently assure himselfe of the enjoying, and no lesse confidently doth he promise the employing a part of them to Gods worship, as if they had beene present with him.

But to come to the particulars of Iacobs request (the conditionall part of this vowe) which are foure, answerable to his need and distresse;

1. Whereas he was now to leave and forsake his fathers house, wherein at that time the true worship and service of God was onely established and professed; so that he should be deprived of all ordinary meanes of knowledge in spirituall things: he desires that God would bee with him extraordinarily to illuminate him with knowledge, and to conferre upon him all manner of saving graces.

2. Whereas by the malice of his brother he was enforced to this solitarie journey, whereby he was exposed to more then usuall dangers; he desires Gods speciall protection, both against his brothers malice, and all other dangers.

3. Because he was to goe into a farre Countrey, and  
knew



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knew not what might be his entertainment, and that without things necessary no man can live; he desires of God that he would provide him bread to eat, and cloathes to put on.

4. Lastly, his fathers family beeing not onely the then present Church of God, but that land where he dwelt being the land of promise, the type and figure of the heavenly Canaan; he desires that God would in his good time returne him thither againe safe and sound.

From all which particular requests of Iacob, we may briefly observe these generall instructions following:

First, that he that would have any blessing from God, must begge it by humble and heartie prayer; yea, though God hath in a speciall manner made promise thereof unto him. Thus Iacob having but immediately before my Text received Gods promise for all these things, yet here he makes together with a vowe a request unto God for them.

And the reasons hereof are diverse:

1. Because God requires the use of the meanes as fully as he promiseth the ende; but prayer is the meanes ordained by God for the obtaining of his blessings: *Aske and ye shall have, seeke &c.* Hence it is called by the Fathers, *Rete gratiarum, situla gratia, clavis cæli, &c.*

*Matt. 7. 7.*

2. The better to put us in minde of our wants, and to make us acknowledge from whom we receive what in this life we enjoy, a thing which we are ready to forget.

3. By prayer both the things themselves we receive, and our persons are sanctified; they unto us, and we unto them: and so we receive and enjoy them with more comfort and profit.

*1. Tim. 4. 5.*

Secondly, here we learne that a Christian may lawfully beg, not onely for spirituall blessings, but for benefits temporall: and the reason thereof (amongst others) is this; because without a competencie of them, we cannot well

performe spirituall actions and duties, that being infallibly true of the Poet, as well in Divinitie as Moralitye,

*Haud facile emergunt, quorum virtutibus obstat  
Res angusta domi---*

Our owne experience daily teaching us this truth; that where there is a want of competencie for maintenance, there is but small growth in the knowledge of God, and duties of godlinesse.

1. Tim. 5. 8.

*Natura paucis contenta.*

Prov. 30. 8.

Thirdly, hence we learne, *quâ mensurâ*, in what measure we may and must pray for temporall things: not for superfluitie and abundance, but onely for things necessary: for Iacob requests not for varietie of dishes, or change of raiment; but onely for bread to eate and cloathes to put on: And the same lesson Paul gives, when he exhorted us not to aske superfluitie, but *having food and rayment there withall to be content*: and so our Saviour implies, when he teaching us to pray, bids us only pray for our daily bread: *Cui parum non est satis, nihil est satis*, him that a sufficiency sufficeth not, nothing will content. In the begging therefore temporall blessings, if we wil so aske as to receive, we must either pray with Agur, *Give us Lord neither povertie nor riches, but feede us with foode convenient for us*; or with Iacob in my text, for *bread to eate, and cloathes to put on*.

Genes. 27.

Fourthly, hence we learne, *quo ordine*, in what order we are to pray for temporall blessings: not in the first place before spirituall; but first with Iacob here for spirituall, then for temporall: thus Christ in teaching us to pray, directs us first to pray that *Gods name may be hallowed &c.* and then to pray for *daily bread*; and Matth. 6. *Quærite primum regnum Dei &c.* seeke first the kingdome of God, and the righteousness thereof, &c. And this order is observable in the methode of Isaacs blessing his two sonnes Iacob and Esau; where blessing Iacob, he first blesteth him with the *deawe of heaven*, and then with the *fatnesse of the earth*, as being the nature of heavenly mindes to preferre

heaven-



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heavenly things before earthly : but in blessing Esau, he blesseth him first with the *fatnesse of the earth*, and then with the *deawe of heauen*; this being their song, *Quarcunda pecunia primum est*, first seeke gold, then God.

Lastly, in that Iacob requests here at Gods hands for all these particulars; hence we learne, that without Gods speciall blessing we cannot provide for our selves the least things necessary for this life; but whatsoever we have and enjoy, we have it from God and him alone: thus S. Iames tells us that we receive all things *from above from the Father of lights*, as well the *good giving*, as the *perfect gift*; he being the author not onely of blessings spirituall, but of benefits temporall; giving not onely grace to obey his will, but as the Psalmist speakes, *Dat escam eorum*, he gives us meate in due season; and Solomon tels us, *non est panis sapienti*, be a man never so wise, yet he is not able of himselfe to supply his owne wants, no not so much as with bread; it is not in him that willeth, nor in him that runneth, nor in him that planteth, nor in him that watereth; *sed ipse est qui dat semen sementi, & panem manducanti*, he gives us both seed to sow, and he it is that likewise gives us bread againe of that seed : and without his blessing all our labour is but lost, and all we get *put into a broken bagge*.

The use of all which, in a word, is to make us acknowledge our owne wants and weakenesse, and to cast our care upon God, as our onely helper; to pray unto him in that measure, after that manner and order, and to that end, as he hath prescribed; and having obtained at Gods hands such mercies and blessings as we requested from him, let us confesse with David, that *whatsoever wee have received, we have received it at Gods hands*; and in token of our true thankfulness, with Iacob here, vowe unto him not onely our selves, but a part of that he shall or hath given us, to his speciall honour and service.

Iam. 1. 17.

Psal. 145. 15  
Ecc. 9. 11.

2. Cor. 9. 10.

Hag. 1. 6.

1. Chr. 29. 14

And thus come we to the last generall part of this text, namely, the matter of Iacobs vowe, or the things particularly vowed; *Then shall the Lord bee my God, &c.*

In which generall, Iacob vowes 3 particulars.

1. That the Lord shall bee his God. 2. That that pillar should bee called Gods house. 3. Because Gods worship and service could not be performed without maintenance, hee vowes that of all whatsoever God should give him, he would surely give a tenth unto God againe. In the first hee vowes inward, in the two latter outward worship; in the first hee vowes himselfe, in the two latter his labour and goods.

*Then shall the Lord be my God:* that is, then will I feare God, and him above all; then will I love God, and him above all; then will I acknowledge God to bee the guider, governour, and giver of all things; of whome I have received whatsoever I shall possesse: and as I will put my trust in him and him alone; so will I pray unto him, and him onely for whatsoever I shal neede. This I take to be the sense and meaning of the words in generall. Neither must wee understand these words spoken *de futuro* onely, as if Iacob did not in present acknowledge the Lord for his God; but Iacob vowing this particular, vowes the performance of a double duty necessary to bee observed in the practise of all Christians in the manner of rendring thanks to God for his blessings.

First, with what kinde of worship hee would first and principally labour to manifest his thankfulness; namely, as he begged first at Gods hands for spirituall blessings, so he would principally labour to manifest the truth of his thankfulness by rendring unto God the inward devotion and spirituall worship of his heart and soule, as being that which God principally requires, and without which all the duties wee performe are no waies pleasing unto him, he beeing, as Saint Ambrose well observeth, *non corticis*



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*sed cordis Deus*, Lord not onely of the body, but chiefly & principally of the soule; hee beeing not onely *Pater spirituum*, but himselfe a *spirit*; and therefore must be worshiped *in spirit and truth*; thus wisdome exhorts, thus David promiseth, thus the blessed Virgin practised, and thus must all Christians follow. *FILII MI*, my sonne give mee thy heart; it must bee the *soules magnificat*, the *spirits rejoycing*, with the speciall parts of Gods worship proper to the same, whereby and wherewith wee must first and principally praise God our Saviour, Feeder and Protector.

Secondly, Iacob in vowing this particular, voweth what should be the extent and continuation of his thankfulness, namely, that the Lord should not now onely be his God, when he stood in want and necessitie, when hee stood in extraordinary need of his helpe; but even then when God should bestowe these mercies in such abundance that hee should have whatsoever hee needed, or could desire, yet then should the Lord bee his God: nay further, his thankfulness shall be answerable to Gods mercie and blessings: the more God trusted him with his mercies, the more would he put his trust and confidence in God; againe, the more God manifested his love towards him in feeding him with his goodnes, the more would hee love and serve God againe; the more God acknowledged him for his sonne by multiplying his blessings upon him, the more would he feare, reverence, and obey him, and with more confidence and assurance pray unto him; yea then he would not onely give unto God the inward devotion of his soule, but he would labour to testifie his thankfulness before men, by doing and performing these outward actions of building God an house, and of paying unto God a part, a tenth of all that he should receive from him.

The which two particulars in Iacobs practise, as they serve for a patterne & president to all men in the rendring

of:

*Hebr. 12. 9*  
*Iohn 4. 24.*  
*Prov. 23. 26*  
*Psal. 138. 1*  
*Luk. 1. 46.*  
 47.

of thanks unto God for his blessings ( these particular practises in him being recorded for our instruction and example ); so serve they to rip up and lay open the great impietie and unthankfulness of these dayes; wherein as men offend against the first of these rules ( our generall profession of religion, and Christianitie, and practise of holy duties, consisting more in shadow and colour, then in truth and substance, more in the outward duties, then in the inward truth and sinceritie of our hearts ); so doe wee most evidently testifie the same in sinning against the second rule observable in Iacobs practise; being so farre from this constancie, from this squaring our thankfulness answerable to Gods mercies, that God may more truely say of us then he did of the Iewes, *dilectus meus impinguatus recalcitravit*, my beloved waxing farr spurned with his heele against mee. Never any Nation and people so abundantly blest with all manner of blessings, never any people walking so rebelliously and stubbornly against God; our times being no whit unlike the times of the Iewes, whereof the Prophet Isaiah complaines: for we have *drunke in iniquitie like water, and drawne sinne with cart-ropes*; being drunken, nay drowned, not onely in the particular sins of our owne Nation; but we have drunke so deeply of the sins of all other Nations that we exceed them in their wickednes; so that we may say more truely of these our times, then Saint Bernard of his, that *tempora periculosa non modo instant, sed extant*, the perilous times spoken of by our Saviour Christ are not onely instant but extant. Charitie never more cold, iniquity in all places, amongst all sorts, rankes, & degrees never more abounding. I shall not need to particularize: our sinnes are written in our faces and in our apparrell; they are written in our goings; they are written on our tables, in our trades, on our wives, children & servants: our tongues boldly talke them, our hands confidently act them, our feete runne swiftly to the execution

of

Deut. 32.15

Iob. 15.16.  
Isaiah. 5.18

Matth. 24.



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of them, and our bodies evidently shew them in ugly, putrified, and loathsome diseases; yea there is not one sinne that any member can act or contract, whether against God or man, that is not in a shamefull manner, and with an high hand committed in these our daies: all which give us just cause to feare, that as wee are fallen into those evill times Christ prophesied shou'd happen in the latter daies; so the evils threatned in those times should speedily fall upon us: the which that wee may prevent, let us with all speed call to minde Gods manifold mercies from time to time multiplied upon us, and proportion our thankfulness according to the same; let us acknowledge with Iacob, the Lord to be our God; and in token that wee doe it from our hearts, let us make it apparant by our outward actions; as specially with Iacob, by building Gods house, and returning to God the tenth of what hee shall give us, for the better maintenance of his worship and service therein.

And thus wee come to the two last particulars vowed here by Iacob, which I will joyntly handle together.

The first is that that stone which hee had then reared should be called *Gods house*, that is, the place where he would publickely worship God, and offer sacrifice.

The second, that he would give a tenth unto God for the maintenance of this his worship; and that not of some part of his goods, as of his estate personall, or prediall; but of all whatsoever God shall give him, hee would surely give the tenth unto God againe. *Totum quod es debes ei a quo habes omnia*: as all that wee have either concerning soule or body we receive it from God, and from him alone, so ought we to testifie our thankfulness with all that we have; it being not sufficient, as Augustine hath well observed, that we serve God *totis votis*, with the inward devotion of the heart alone; but we must serve and worship him *totis vobis*, even in and with the performance of those outward actions he requires at our hands, with our bo-

Psal. 95. 6.

Psal. 108.

dies, and our goods: nay as wee say of faith and workes, There may be workes without faith, though not properly good, yet wheresoever there is true faith it will be evident in the practise of good workes; so howsoever there may be the outward worship without the inward, yet if the inward be sincere, it will manifest it selfe in the duties of outward worship: if the heart once say, *venite, adoremus*, come let us worship; the tongue and knee will presently answer, *etiam & genua flectamus*, let us kneele likewise and fall downe before God: if Davids heart be once fixed and prepared, his lute and harpe will be called presently to awake to joyne in the worship of God with him: and if Iacob once acknowledge the Lord for his God, hee wil presently resolve to build him an house, and vowe unto him a tenth of all that God shall give unto him.

But to passe from this generall to the particulars here vowed: where from Iacobs practise in my text, I lay downe this conclusion, necessary in the knowledge and practise of all Christians, That the best actions we can do (respecting outward worship) to testifie our thankfulness to God for those extraordinary blessings we dayly receive from him, is to build, repaire, and maintaine Churches and Chappells, places for the publicke worship and service of God, and duely and truly to pay unto God the tenth of whatsoever God shall bestow upon us, for maintenance of his Ministers, for the performance of the parts of his worship and service therein.

Gen. 8. 20.

Gen. 13. 18.

Gen. 28. 16.

Gen. 35. 1.

The truth of which conclusion will appeare evident by the precepts of God & practise of Gods Saints in all ages, both before the law, under the law, and since, in the times of the Gospell. Before the law, we have the examples of all the Patriarches, who alwaies erected altars in all places where they abode, for the offering of sacrifices, and the performance of other parts of publicke worship, and that by Gods speciall command: as when the Lord had

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brought the children of Israell by a strong hand out of Egypt, and delivered them safe from their enemies hands; the first and principall thing God requires at their hands, by way of thankfulness, was the building of the tabernacle; and being built he gives command, **LEVIT. 19. 30.** and **26. 2.** that they should *keepe his Sabbaths, and reverence his Sanctuary*, promising great blessings upon so doing; & as God commanded, so they laboured to testifie their love & thankfulness by their bountifull offering to that worke. When the Lord had delivered David out of all his troubles, and had settled him in peace in his kingdome, he chuseth this as the chiefest argument to testifie his love and thankfulness, the building of a settled temple; and therefore makes a solemne vow, and bindes it with an oath, that *he will not enter into the tabernacle of his house, nor come upon the pallet of his bed, nor suffer his eyes to sleepe, nor his head to take any rest, untill hee had found out a place, an house for the God of Iacob.* When God had settled Solomon his sonne in his fathers kingdome, and had made him many promises of mercy and protection; where begins he to testifie his thankfulness, but in building the temple, which his father had promised, and from which he was by God prohibited? And of all his worthy acts, and honourable epithets, none doth more commend him then the building of the temple; **SOLOMONS TEMPLE.**

When Cyrus came once to know, and understand, that it was the God of Israel that had given him victorie over all his enemies, and made him triumph over so many Nations and Kingdomes, presently in token of thankfulness he releaseth the Iewes out of captivitie, commands them with all speede to reedifie the Temple, restoring not onely all the vessels which Nebuchadnezzar had carried away, but commanding it should be built at the charges of his owne treasure: And both Cyrus, Darius, and Artaxerxes (all which three had their hands in the worke) have their

*Exod. 25. 2.**Psal. 132.**1. Kings, 5.**Ezr. 3.*

Luk 7. 5.

histories recorded by the Spirit of God, to their high renowne, and everlasting memorie. When the Iewes come to entreat Christ, that he would goe and heale the Centurions servant, what argument doe they bring to moove Christ, but that he *loved their Nation*? And how doe they proove it? *He had built them a Synagogue*. And as for latter ages in the time of the Gospel, witnesse all the curious and wel-built Churches and Chappels throughout all the parts of Christendome, which have beene built by the Saints of God, as arguments of their zeale and devotion, and in thankfulnessse to God for his blessings conferred upon them. Neither have wee the practise of the Saints alone, but the very heathen, who have alwayes accounted the erecting of Temples as works of greatest holines, and as testimonies of greatest thankfulnessse to the Deities; all their Temples being either *memoriae sacra*, or *honoris dedicata*, built and dedicated to the honour of their idol gods, and by way of thankfull remembrance for such benefits they conceited they received from and by them. And as God hath commanded, and men out of the light both of religion and nature have accounted the erecting, repaying, and maintaining the places of Gods worship, as arguments of true devotion and thankfulnessse to God for his extraordinarie mercies; so no lesse hath God from time to time commanded: no lesse carefull have men in all ages been to endowe them and their Ministers with large and liberall maintenance, and that with Iacob here, by giving a tenth of all that God from time to time bestowed upon them. Thus the Lord, *Exod. 22. 29 Decimas tuas & primitias tuas, &c. Thou shalt not delay to offer thy tithes, the first of thy ripe fruites, and of thy liquors; the first borne of thy sonnes shalt thou give unto me. LEV. 27. 30. All the tithe of the land, whether of the seede of the land, or of the fruit of the tree, is the Lords, it is holy unto the Lord. LEVIT. 27. 32. And concerning the tithe of the hearde or of*  
the



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*the flocke, even of whatsoever passeth under the rod, the tenth shall bee holy unto the Lord. NUMB. 18.20.21. Thou shalt have no inheritance in their land, neither shalt thou have any part among them; I am thy part and thine inheritance: and behold I have given the children of Levi all the tenth in Israel for an inheritance for their service which they serve, even the service of the Tabernacle of the congregation. In all which places we finde God claiming the tithes to be his; & that not onely *jure creationis*, by right of creation, nor *jure potestatis*, because hee hath the disposing of all; for so the whole is Gods: but *jure proprietatis & reservatidis*, in respect of the very proprietie thereof, and by way of reservation; because, having given all the rest to the sonnes of men, hee hath reserved unto himselfe the tenth to bestow where he will; and that he hath bestowed on the Minister serving at the altar. And hence it is, that MALAC. 3.8. 9.10. the Prophet tells the people, they were *curst with a curse, because they had robbed God in not paying their tithes and offerings*. And for the practise of Gods Saints; witnes Abraham and Iacob before the law, the practise of the Iewes under the law throughout their tribes and generations, so long as they walked uprightly with God, and went not a whoring after their own inventions. For witnes hereof take one for all, 2. CHRO. 31. the practise of the Iewes under the Reigne and reformation of Hezekiah: wherein foure things are remarkeable;*

1. That so soone as ever Hezekiah had destroyed idolatry, and established the true worship of God, in the next place hee takes order for the peoples payment of tithes, first fruits, & offerings; as being that without which Gods worship was not perfect, nor God truly praised, vers 4.

2. The peoples readines and liberall bounty in the performance of this duty, vers. 5. 6. *And as soone as the commandement came abroad, the children of Israel brought in abundance, the first fruits of corne, wine, and oyle, and honey, &*

*of all the increase of the field &c.* intimating that where the worship of God is sincere, there tithes are willingly and readily paid.

3. The reason alledged by the Priest why and how so great and abundant store was in so short a time gathered together; namely, that since the people began to bring the offerings into the house of the Lord, the Lord had blessed his people; teaching us that the paying of tithes increaseth Gods blessings, and Gods blessings increasing ought to make us increase in that duty, vers. 9. 10.

4. Though there was plenty and abundance, more then the present need required, yet Hezekiah & his Princes did not cause it to be carried into their private treasuries and store-houses; but commanded it should be kept for the use and benefit of the Priests & Levites in the store-house of the Temple, verse 11. 12. If any shall object that this was for the second tithe onely, not for the tithe of inheritance; I answer, if they were so strict in the payment of this tithe, which was a second full supernumerary tithe over and above the first; then much more in the payment of the first, which God challengeth as his right of inheritance, & which they never omitted to pay when the other were generally neglected, as may bee gathered, NEHEMIAH 13.

Neither is the Gospell without either precept or practise for the necessary performance of this dutie; witness the manner of Christ his reproofing the Scribes and Pharises, MATTHEW 23. 23. where he infers a necessitie of tything, even in the smallest matters, whether wee understand the phrase actively or passively, either in the payer or receiver; *Woe unto you Scribes and Pharises, Hypocrites; ἀποδεκατῆτε, for you pay tithe of mint, and anise, and cummine, & have omitted the weightier matters of the Law, judgement, mercie, and faith: These things ought ye to have done, and not to leave the other undone.* Neither will it suffice to

object



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object against the text, that the Ceremoniall law was then in force, and so Christ might justly command it: for first, how will they answer that distinction of Augustine; *Ceremonia legis ante Christum nec mortuae erant, nec mortiferae; post promulgationem Evangelii, & mortuae & mortiferae; inter passionem Christi & promulgationem, mortuae, sed non mortiferae*, The ceremonies of the Lawe before Christ were neither dead, nor deadly; after the promulgation of the Gospell, both dead, and deadly; betwixt Christs passion and the promulgation of the Gospell, dead, but not deadly? Where by the passion of Christ we understand, not his passion *καὶ ἐξοχλῶ*, his suffering upon the crosse, when hee breathed out, together with his *consummatum est*, his life; but the whole time of his suffering here upon earth, especially from the time of Iohn the Baptists beginning to preach, and Christ his Baptisme: at what time the ceremonies of the lawe began to be dead *quoad necessitatem*, in regard of the necessary observance of them; howsoever *quoad convenientiam & vinculum charitatis*, in respect of conveniencie and to avoide scandall, the observation of them was not deadly; according to that of Christ, **MATT. II. 13.** *All the Law & the Prophets prophesied untill Iohn: and that of Paul **GA 1. 3. 24. 25.** The lawe was our Schoolmaster to Christ, but after that faith is come we are no more under the Schoolmaster.* Where by the Law and the Prophets is understood *tota Moysis politia seu oeconomia, & constitutio Sacerdotii*, the whole regiment of Moses Lawe, not onely Ceremoniall and Iudiciall, but Morall likewise, so farre forth as it was to be abrogate, together with the Legall Priesthood; So that if Christ had held the payment of tithes as a duty of the Ceremoniall law, he would never have set a *ῥῆ* upon them, and have taught them as a duty necessary, which ought to bee done, and not left undone.

But that I may remoove all scruple, in the second place let us consider that our Saviour Christ makes not the pay-

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Epist. 19.  
Tom. 2.

Thom. 1. 2.  
quest. 103.  
art. 4.

ment of these tithes a Ceremoniall lawe, but a Morall, yea an Evangelicall lawe, of the same nature with judgement, mercy, and faith; distinguishing them onely *secundum magis & minus*; which, as Logicians teach truely, *non variant speciem*, differ not the kinde. Besides this of Christ, Paul 1. COR. 9. prooves by nine forcible arguments the necessity of the Ministers maintenance now in the time of the Gospell, & how it ought to bee done. And GALAT. 6.6. seconding Iacobs vow in this place, *Let him that is taught communicate unto him that teacheth*, not in some particular kinde, nor yet in grosse a competency out of the whole; but *ἐν παντι ἀγαθοῖς*, in all his goods, or in all good things. And as for practise, witnes the liberality of the Saints in the very dayes of the Apostles: who are said to sell all they had and to lay the price at the Apostles feete, for their maintenance, and releife of the poore distressed brethren. And in succeeding ages as the Churches increased and obtained peace, so did the Saints according to the rule of Gods worde, and practise of the Saintes, establish a settled maintenance of tithes for Gods Ministers, as that portion of inheritance which God had allotted them, and which might not bee detained without sacriledge. The truth whereof will appeare by the unanimous consent of all the auncient and truely religious Fathers of the Church in all ages, with the generall practise of the Saints in all places, where and so long as religion was purely and sincerely taught and professed. Neither have we onely the consent of holy Church both in doctrine and practise, but of the very heathen, enforcing the necessitie of this duty; Thus Festus, as epitomized by Paulus Diaconus, speaking of the customes of the Romanes, tells us that *decima quaeque veteres Diis suis offerebant*, the auncient gave tithe of all unto their Gods. I know the Tithes-Historian together with Ioseph Scaliger, feare not to accuse Paulus Diaconus of barbarisme and falsification of Festus and to

Act. 4.

Consule Do-  
ctore Titef-  
ley in Catal



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correct his authority; the one putting out *quaque*, and so denies the generality of tithes of all things given by all men, restraining both persons and tithes to some particulars; the other changing *Diis suis* into *uni tantum Herculi*, as if tithes were payd by the Romanes to Hercules onely: but by what authority or sound ground I know not: for mine owne part, I see no reason why Paulus Diaconus should not bee as worthy of credit as either, yea as both of them; sure I am the world, and the learned of those times wherein he lived, accounted him a man of as great knowledge and judgement, and as worthy of credit, as either is Divine Scaliger, or Antique Mr. Selden. Besides, say the Romanes had given tithes to Hercules onely; yet Festus speakes not of the custome of the Romanes onely, but of other Nations likewise: and howsoever by his silence he seems to consent with Scaliger in the correction of Paulus Diaconus for *uni tantum Herculi*; yet himselfe confesseth, that neither the Romanes, nor their next neighbours did tithe onely to Hercules; but *these their arbitrary voves and thanksgivings* (I speake in the Historians language) *were sometimes also payd to other Deities*, whereof hee names diverse particulars. Next to the authority of Festus, hee brings in the practise of the Grecians, for generall consent. Thus Harpocration, who saith that *the Grecians used to tithe the spoyles of warre τοῖς θεοῖς, to the Gods*. And another, *It was a Greeke custome to consecrate the tithes of their abundance τοῖς θεοῖς, to the Gods in generall*, without exception, or limitation either of things or persons, by whom or to whom, as generall every whit as Festus. And the same Deities (as \* Carolus Sigonius hath well observed) beeing worshipped amongst the Romanes, which were amongst the Grecians: and the Romanes no whit inferiour in superstitious pietie to the Grecians; it is not likely, but as they devoted themselves to their Gods, so they worshipped them with the

Seld. pag.  
29.

Pag. 27.

Pag. 32.

\* Lib. de ant.  
Iur. Civ.  
Rom.  
pura uni-  
versarum  
gentium sa-  
ra suscipi-  
unt, &c.  
A. n. b. lib. 2.  
co. tit. Gent.

selfe same worship, and payd them tithe as fully as the Grecians. Many other particulars might bee alledged out of heathen stories to inforce this point, as how those who gave not of their increase were called *ἄθεοι*, *irreligious people, not serving God, without piety*, who never escaped punishment for their Atheisme: yea wee shall read of many fearefull judgements that fell upon such persons who were negligent in the performance of this duty to the Gods. But I referre the Reader to Mr. Mountague, and Mr. Seldens owne history, where you shall finde sufficient in this kinde. And the reason of these strange punishments inflicted upon those that robbed the heathen Gods is well given by Lactantius; *God (saith he) punished this sinne of sacrilege among the heathens, because though hee cared not for an injurie done to an Idol, yet he would make men afraid of withdrawing any thing from him, whome they in their blinde judgement tooke for the true God.* But to passe from these instances, and come to the answering of such objections as are brought against the necessity of performing of what Iacob here vowes, The first objection is made against the necessitie of the place of Gods worship, the second against the payment of tithes. The first is this; God is present in all places, and hath not Christ taught us, that *God dwells not in temples made with hands, but wheresoever two or three are gathered together in his name, there will he be in the midst of them?* To what end and purpose then need wee build Churches and Chappels, for Gods worship to bee performed in? First wee confesse that of the Schoole to be most infallibly true, that *enter, presenter Deus hic & ubique potenter*, all things are commanded by Gods power, all things are open to his sight, all things are filled with his presence, hee is present in heaven by his glorious Majestie chearing and blessing his glorious Saints and Angels. he is present in hell by his power and justice, punishing the wicked sinners and devils; he is

present

Instit. 2. c. 4.



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present in all the world, feeding & ordering all both good and bad by his providence: yet *suscepimus Deus misericordiam tuam in medio templi tui*, his Church, his Sanctuary, that is his *Curia Gratia* his gracious court of mercie; therein after a more diverse way, and therein after a more speciall manner is he present to and with his Saints upon earth, then in all other places whatsoever. Againe true it is, that *Deus non habitat templis manufactis*, God is not circumscribed within Temples made with hands, but *ubicunque* wheresoever men are met together in his name, he will heare and answer them: yet *at Ierusalem is his Sanctuary*, *at Salem is his Tabernacle*; that is the place which hee hath chosen for himselfe, wherein to put his name; that is the place whereunto the people shall resort to worship him; not only to offer their sacrifices and prayers to obtaine his blessings, but to praise him for his benefits received from him. Neither let any man object and say *non nunc ut olim*, this was true of the materiall Temple and Tabernacle before Christ his comming, but not so now: for God hath not left his Church, he hath not forsaken his Sanctuary; but as Christ himselfe on earth, honoured the Temple and the Synagogues with his presence and preaching, and as the Saintes of God since (and that no doubt by the direction of Gods Spirit) have erected and dedicated places to and for his speciall worship; so is God in a speciall manner present in them more then in others: nay, as wee have a common saying of the wince, that if there bee any ~~ding~~ stirring it is most evident about the Church; so if there bee any *flatus spiritus*, If God bee any where present (as hee is every where) hee is specially present to and with his Saints, at such time as they are assembled together in his Church and Temple, to heare his holy word, to receive his blessed Sacraments, by prayers and prayes to worship him for his blessings: Thus howsoever the erecting of Churches &c. are not necessary ne-

Psal. 48. 9.

Psal. 76.

*cessitate absoluta*, because in time of persecution *omnis locus est Deo sacer*, all places are his, bee it in house or field, where his Saints are assembled: yet are they necessary *necessitate conditionata*; when wee may enjoy them, wee must provide them, and beeing provided, honour and reverence them, even as the house of God, his holy Sanctuary.

The second objection is made against the Ministers maintenance, and that not in generall; for there is none so impiously sacrilegious, that will denie (at least in words) the necessity thereof; but the question is about the rule of proportion and law, whereby they are due to God, and from him to his Ministers; whether by the Divine Morall law of God, or by vertue of humane lawes and Ecclesiasticall constitutions; whether *secundum totam*, a proportion answerable to the Leviticall Priesthood, or whether *secundum partem*, in the same full due & kinde as they were paid to the Leviticall Priesthood. The adversaries of God and his tithes, hold and maintaine the law for tithes abrogate, as Iudiciall, and Ceremoniall; and so the paiment in that *quota* to be voide, and the law for paiment onely Civill and humane.

For answer hereof wee confesse, that if they speake of the maintenance of the Leviticall Priesthood in generall, we deny not but there were some things in their *quota* partly Ceremoniall, partly Iudiciall, and so to us are now abrogate; such were their *primitiae* taken in the strict sense, their parts of sacrifices, their speciall & particular Cities, their having their tithes gathered and brought home at the costs and charges of the owners, their parts and portions in the second annuall tithe, and in the tithe of every third yeare; but for the first tithe, which is the tithe called the *tithe of inheritance*, that is, the tithe of all increase (nine parts duely and truely deducted) which was given by God to the Priests and Levites; to say this is abrogate,



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as being a Ceremoniall or Iudiciall law, tying men to the paiment thereof during onely the time of the Leviticall Priesthood, and continuance of the Iewish Politie, is most false and erroneous. And that I speake no more then I shal be able to proove, I will lay downe three Conclusions;

First, that the law for paiment of the tithe was not simply Ceremoniall or Iudiciall, binding the paiment onely to the Iewish Priesthood.

Secondly, that the tenth is that proportion which is simply due unto Gods worship and service.

Thirdly, that the paiment of tithes for the *quota* is a Divine Morall law, yet standing in force to binde all Christians to pay them unto the Evangelicall Priesthood.

That the law for paiment of tithes was never simply Ceremoniall &c. is thus prooved;

If the law binding to pay the tenth for the *quota*, were barely Ceremoniall or Iudiciall, then were tithes onely due to the Leviticall Priesthood: but the tenth was not onely due to the Leviticall Priesthood: *ergo*, &c. The consequent of the *major* is undeniable, the *minor* is thus prooved; That which of due was paid to another Priesthood, and that by the Leviticall Priesthood, was not onely proper and due unto them: but tithes were paide by the Leviticall Priesthood of due to another, even to him that was the type of the Evangelicall Priesthood: therefore not due onely to the Levites. The *minor* is thus prooved; That which was paid by Abraham to Melchisedeck, was paid by the Levites to another Priesthood: but tithes were paid by Abraham to Melchisedeck: *ergo*, &c.

This argument Paul urgeth, Hebr. 7. where comparing the Priesthood of Christ with Aarons, he makes this one argument to proove Christ his Priesthood the greater, in that Levi in Abraham paid tithes unto Melchisedeck, who was the Typicall Priest of the New Testament. Whereas the Historian objects that Abraham paid tithes

onely of the spoyles of warre, not of all his substance, the word *ἀρεθίσια* signifying onely the tithe of such spoyles;

First, I answer that both the text of Genesis, Chap. 14. 20. and HEBR. 7. 2. speake in generall termes, that Abraham gave tithes of all; and as for the word *ἀρεθίσια*, to signifie onely the spoyles of warre, the Tithes-Historian is not at any agreement with himselfe (neither indeed can he bee; the word bearing a larger signification); and therefore I will not stand to answer it. But say we should graunt that at this time when Abraham met Melchise deck, he gave the tithe onely of the spoyle of warre; yet that infringeth not, but at other times hee paid tithes of all. And that may appeare first by the *emphasis* of the Apostle, Hebr. 7. 4. where he speakes of the paiment of these tithes of the spoyles, as of a greater and more eminent action then the paying of ordinary tithes of his ground, saying, *Now consider how great this man was, unto whom the Patriarch gave the tenth, not onely of his ordinary substance, but* *ὅτι καὶ τὸ δέκατον ἐκ τῶν ἀρεθίστων*, *even the tenth of the spoiles*. Neither will that allegation suffice that is made by Mr. Cartwright in his Annotations upon the Rhemes Testament, that the paiment of tithes was a ceremoniall thing, whereby was signified that wee in a tenth offered to Christ doe declare that all we have is his.

For first, if he meane particularly of Abrahams action, then Abraham did it either with warrantie or without, if with warrantie, then was there some law commanding tithes before Moses; if without warrantie, then not lawfull, and so not commendable, and so consequently not a fit type to signifie the duty of the faithfull to Christ.

Secondly, the Apostle in that place bringes not in Abraham paying tithes in the person of all the faithfull, but in the person of Levi; though true it be that all paid in Abraham.

Thirdly, if it was (as we denie not) a ceremoniall rite  
signifying



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signifying and declaring the dutie of all the faithfull to Christ, then it should appeare to be the first *quota*, and proportion whereby to testifie and declare our subjection, thankfulness and obedience: And then I aske what wrong hath Christ done us under the Gospell, that we should not still testifie our obedience and thankfulness, in and by paying at least the same proportion; seeing we are not onely the faithfull children of Abraham, and have no law forbidding, but all enforcing the same duty. And here by the way observe with mee two other passages in those Annotations upon the aforementioned place;

The first is a relation of Possidonius in the life of Saint Augustine; wherein hee would make Saint Augustine an enemy to the custome of paying tithes in the *quota*, directly against his owne peremptory assertion in all his Treatises.

The second is a misconstruing of Saint Ierome, not only against his generall text, but the sense & rules of Gramer: for whereas S. Ierome inveighing against the covetousnes and licentiousnes of the Cleargie in those times, thus concludes, *Si quasi Levita & sacerdos vivo de decimis, & altari serviens altaris oblatione sustentor, habens victum & vestitum his contentus ero*, which in right English is, that so long as I live as a Levite and Priest, upon tithes, or other offerings due to those that serve at the altar, I will rest my selfe contented, though it onely suffice for food and raiment: intimating, that as long as he lived upon Gods allowance, it should suffice, were it never so small; assuring himselfe of Gods blessing in and upon his owne ordinance. There the construction of Saint Ieromes minde is this;

That if lesse then a tenth will finde him things necessary for his honest maintenance, Ierome will not stand upon a title of tithes.

2. The truth of this may appeare in the practise of Iacob in this vowe: for Iacob vowes not this of paying  
tithes

*Aug in Ser.  
de temp. 2. 9  
In Dom. 12.  
post Trinit.  
Hom. 48. in-  
ter 50 Ser.  
in Psal. 146.*

*Ad Nepot.  
de vit. Cler.*

tithes *de novo*, as a worke not formerly done, no more then he doth the other, *that the Lord shall bee his God*; but he vowes that which according to the auncient lawe of God, and practise of his fathers, he was to performe, when God should bestowe these blessings upon him; only by this vowe he bindes himselfe to a more strict & carefull performance of what he ought; it being lawfull to make vowes, not onely in things indifferent, but in things necessary and commanded.

The second thing which I propounded to proove was, that the tenth, even for the *quota*, is the certaine rule of proportion due unto the Ministers of God which serve at the altar, and which without sacriledge cannot bee detayned from them: the which I thus proove;

*Vox populi,  
vox Dei.  
Omnium  
consensus est  
vox naturæ;  
Cic. Tuscul. 1.*

That for which we have the precept of God by authority of his word in time commanding, the practise of all people in all places, and that in all ages, and that of duty readily performing for the maintenance of Gods worship; that must necessarily bee the rule for the practise of all men, nor may it be altered till we have precept to the contrary: but of this nature hath beene the practise for the payment of tithes: therefore &c.

By *all ages* I understand, 1. *Before the lawe*, as in the example of Abraham and Iacob. 2. *Under the lawe*, where we have both precept and practise. 3. *In time of the Gospel*, when and where the Gospel hath beene knowne, and embraced.

By *all persons* I understand both *faithfull* and *infidels*; testimonies whereof you have heard already.

By *all places* I understand, 1. *the severall and particular Kingdomes of Christendome*; not some one or fewe, but all. 2. not some heathen, as the Romanes alone, or Grecians only, but both, nay all whosoever are recorded to acknowledge a Deity or at least we read of none that did not without punishment; *Quis enim a seos impune putavit esse Deos?*



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But against this argument there are brought diverse instances: first, against the practise of the heathen; secondly, against the practise of the Church of God.

For the heathen, these objections are made. 1. They had no compulsory law to compell them. 2. They paid not necessarily, but arbitrarily. 3. They paid not annually, nor of all things, not to all Deities, nor by all men. For answer of all which, in a word; first, what needed they any law to compell them, when as they were a law to themselves, drawne thereunto either by the law of nature, more forceable then any humane law; or else by traditionall custome from the practise of their forefathers, which to us is above all, and to them was alwaies in the nature and force of a law, they not having alwaies their lawes written (as we now) further then in the customary practise of the country? Secondly, for the making of lawes for the payment of tithes, they well could not, in that they paid tithes to severall Deities; so that to have made a law for one, had beene to draw the envy of another Deitie upon them. As for the second, that they paid them not upon necessitie, but voluntarily, we shall finde the contrary confessed by the Tithes-Historian, pag. 31. where recording the vow of Cypselus of Corinth, he saith that Cypselus had speciall regard to the tenth part of the goods of the Citizens, as competent to a Deitie; and in the same page (relateing out of Herodotus the practise of Cyrus) tells us that Cyrus being admonished of Cræsus, would not have the goods of the Lydians ransackt by the souldiers, because ἀναγκαίως they were necessarily to be tithed to Iupiter; and that not only as a vow, but as a custome: otherwise (as Mr. Mountague observeth) it would have beene a poore argument to have made the souldiers desist from their right in the spoile.

And as for annuall payment he confesseth, pag. 30. that it was a custome to bring unto Apollo yearly first fruits in

F

tithes;

Seld. pag. 28

Pag. 493.

tenths; and a little before, speaking of the Syphnians, he saith that they gave yearely the tithes of their mines which they found in the Isle. And Mr. Mountague further addeth, that when covetousnes made them leave paying that tribute of tithes, the sea brake in among them and swallowed up those mines; a just vengeance of God upon detainers of divine right, by dishonouring God to loose all. And in the last place where he averreth all paid not, nor of all things, nor to all Deities, let him or any shew as much in the negative, as wee have shewed in the affirmative, and we will yeeld the bucklers: and yet I see no reason why the prooffe of a negative after the affirmative proved, should stand good against Gods right, that will not stand good against an earthly Kings, no not against the right of a private person.

But graunt that all this were true that is alledged, that they paid not yearely, nor of all things &c. Were they not heathen, in whome the light of nature being darkened, might faile in the perfect performāce of such things as nature required. Certainly if we faile, having a greater light, in the performance not onely of this duty, but of things of greatest moment, especially when gaine and profit come in our way, let us not expect perfection from them, though in naturall things; howsoever, what they did proves the truth of my former conclusion, in that they paid neither an eighth, ninth, eleventh, or twelfth, but alwaies a strict tenth, or at least *nomine decima*; demonstrating thereby the tenth to be due *de jure*, howsoever they failed *de facto* to pay it in the full proportion or *quota*.

The reasons brought to infringe the practise of tithes under the Gospel, are two; both taken from matter of fact. The first is the practise of the primitive Church in the daies of the Apostles, who neither received tithes, nor challenged them; together with the settling of the payment of tithes in all particular countries where the Gospel hath

beene



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been received; which payments have been settled according to the particular lawes & customes of particular countries.

First for answer, we say that *a facto ad jus non valet consequentia*, it was not done thus and thus, and therefore it ought not to have been otherwise, is no good consequence either in Logicke or Lawe, much lesse in Divinitie.

Secondly, the Church in those times of the Apostles, and many yeares after, was not settled, but was in great persecution, and so not a fit time for Ministers to be forward in urging that question, least, as Saint Paul spake of himselfe, they should have seemed to have sought *theirs* more then *them*. And to reason thus, we may as well say that the Israelites paid no tithes in the wildernes, nor in their captivity; therefore they were not due at any time.

Thirdly, those that were not converted paid according to their auncient customes unto their Idoll-Gods; those that were, willingly brought all and laid them at the Apostles feete: but the Church was no sooner settled, but tithes were demaunded, and readily by way of thankfulness to God paid when and where the Gospel was from time to time received and embraced, as the particular graunts specified by Mr. Selden himselfe will sufficiently witness.

The second reason opposing the practise for the times of the Gospel, is grounded upon the doctrine of the Schoolmen, and practise of the Church; first set abroad by Alexander Hales. Their doctrine was, that tithes for the *quota* are not due now in the time of the Gospel; either by the Morall lawe, or the lawe of Nature; but onely *iure Ecclesiastico*, by the judiciall lawes and constitutions of the Church, being grounded upon the equitie of a mutuall distribution betwixt the Ministers and the people; that as the one gives spirituall things, so the other should afford unto them of their temporall things. The practise of the Church was in suffering the conveyances of Parochiall rites in tithes to bee diverted unto the maintenance of

Seld. p. 158.

Pag. 159.

Monkes and Friars in their cloysters, which (saith the Tithes-Historian) the Church would never have suffered, had they formerly held tithes due to be paid by divine right, either *lege scriptâ*, or *natâ*.

But these reasons to them that will understand reason, are easily answered: for first, the Schoolemen and Friars are contrary to themselves and one to another, for which I referre the Reader to Gregory *de Valentia* in his Title of tithes.

Secondly, what is the judgement of a few Monkes and Friars, who by their niceties and subtilties have obscured the truth, rather then explained it, being compared with all the auncient Fathers of Gods Church in all ages, which have sealed to the truth of their doctrine by shedding of their bloods?

Thirdly, let all honest Christians consider the end that these Schoolmen aimed at, with the miserable event that followed their doctrine and practise. For their ends, they were two;

Thom. 2. 2.  
qu. 37, art. 1

The first was to encrease the maintenance of the Ministry, & to draw it to a greater proportion, by how much the Priesthood of the Gospel was more excellent thẽ that of the Law: for lesse then a tenth they never yeelded unto.

The second was, by maintaining them due onely by positive lawe, and not divine, they laboured to drawe them from their Parochiall Ministers unto the maintenance of thẽ & their Cloisters; which they effected even to the impoverishing of the Ministers serving at the altar, allowing unto them only a smal competency of personall tithes.

Lastly, for the event of this doctrine, it was most fatall; giving not only occasion to Wicklife and others to broach that heresie of maintaining tithes to be meere almes; but gave occasion also to the civill power, to take from the Church not onely the jurisdiction of tithes, but to alienate them in the end from the Church and Churchmen to a

meere



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meere civill use; as your Prohibitions, Inhibitions, Impropropriations at this day witnesse at large, not onely here but in all places.

And as for the practise of the Church suffering the alienation of them; First, it was not by generall consent of all: for the Canonists of those times were against it. Secondly, suppose the whole Church had erred in this particular at this time, yet doth it not infringe the right of them by generall consent before nor since; in that the whole Church hath erred in matters of greater weight and moment then the point of tithes, as in the heresie of Arrianus, when *totus mundus factus erat Arriani*, the whole world were become Arrians, some fewe particular persons onely excepted. And in the times of Poperie before the daies of Martin Luther, when there was no point of divinitie free from either addition or subtraction in any one Church of Christendome. And for the allegation of particular prescriptions and customes, let them first proove tithes due by humane constitution onely, and that God hath relinquished his right; otherwise it is not onely idle, but wicked, to plead custome, or prescribe against God.

The last thing to be prooved for the payment of tithes is, that the lawe of tithing was and is a divine lawe, standing still in force, which may not be abrogate without speciall law to the contrary: which will appeare by these reasons following;

I. To whome the selfe same power and duty of blessing belongs, as did to Melchisedeck, to them from the blessed ought the same duty to be performed, which Abraham performed to Melchisedeck; that is, the tithes of all: *benedicere & decimas accipere & dare* beeing set downe by the Apostle as relatives, *quorum uno posito, ponitur & alterum, & è contrà*: otherwise the Apostles argument is of no force; but the Ministers of the Gospel have the same power and right of blessing the people, as had Melchise-

Hebr. 7. 1. 2

Gen. 24. 60.

Joshua 22. 6.

Psal. 129. 8

Ruth 2. 4.

Deutr. 10. 8

Numb. 6. 24.

25. 26.

Numb. 6. 26

deck: *ergò*, &c. If any shall object that parents doe and may blesse their children, and children their parents, and Kings their subjects, yea all Christians ought to blesse one another; and yet cannot challenge a propriety in tithes: I answer, that there was and is a great difference betwixt their blessing and the blessing of the Priest and Minister.

For first, the Priests had a speciall commission and command, as being set apart by God for that purpose.

Secondly, to them was given a prescript and certaine forme of blessing, which was not to others: *The Lord blesse thee and keepe thee, the Lord make his face to shine upon thee, and bee gracious unto thee, the Lord lift up his countenance upon thee and give thee peace.*

Thirdly, there was a promise of a speciall blessing annexed unto the Priests blessing, which was not made to any other; others onely praying for a blessing, but they pronouncing it also.

Lastly, God hath annexed the blessing of the Priests and the paiment of tithes by the people, as necessary dependants. *DEUT. 10. 8. 9. At that time the Lord separated the tribe of Levi to beare the arke of the covenant of the Lord, to stand before the Lord, to minister unto him, to blesse in his name unto this day: wherefore Levi hath no part nor inheritance with his brethren; the Lord is his inheritance, according as the Lord thy God promised: and what this promise was, we read, NUMB. 18. 21. And behold I have given the children of Levi all the tenth in Israell.*

If it bee objected that this was a ceremoniall action belonging onely to the Leviticall Priesthood, the answer is negative, that it was not a Ceremoniall, but a Morall duty. 1. Because it was in practise before the lawe of ceremonies or Leviticall Priesthood, as in the example of Melchisedeck, *GEN. 14. 19. 20. He blessed Abraham, and received tithes of all.* 2. Christ himselfe practised it, *MAR. 10. 16. LUK. 24. 50.* 3. Christ commanded his

disciples



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disciples to doe the like, L V K. 10. 5. promising to second it upon such who should readily receive them, and kindly entertaine them. 4. The Apostles practised it after Christs ascention and their receiving the holy Ghost, blessing the people with that Evangelicall forme of blessing mentioned 2. C O R. 13. 14. *The grace of our Lord Iesus Christ, and the love of God, and the communion of the holy Ghost be with you all; Amen.* According to which forme, the Ministers of God in all ages since have continued to blesse the people: the which forme, though it differ in words from that used under the Lawe, yet is it the selfe same for sense and substance: and that both more sweete, by how much the sweete name of I E S V S is therein mentioned; as also more plaine, in that the three persons of the blessed Trinitie are therein distinctly expressed, which in the other are onely closely implied under the triple iteration of the name and title of L O R D.

The truth and confirmation of this whole argument is apparently prooved, H E B R. 7. 12. where Paul thus reasons; If the Priesthood be changed, then must there be a change of the Law, and so *é contra*, where the Priesthood is the same, the Law must bee the same: but our Priesthood is the same for blessing with Melchisedecks, yea with Aarons: and therefore the Law of our Priesthood for receiving tithes must be the same.

Arg. 1.

That law, the abrogating whereof dishonours God, and makes the Ministers of the Gospel inferiour to the Ministers of the Law, cannot be temporary, but of divine constitution, which cannot be abrogated: but to maintaine the law for the right of the tithe in kinde to be abrogate and not in force, tends to the dishonour of God, and making the Ministers of the Gospel inferiour to them under the Lawe: *ergo*, &c. The *maior* is thus prooved; That law, the abrogating whereof leaves the Ministers of God under the Gospel without a certaine rule for

Arg. 2.

mainte-

maintenance, dishonours God in making him more regardlesse of his Ministers under the Gospel, then under the Law, and makes them inferiour to the Leviticall Priesthood: but to maintaine the Law commanding tithes for the *quota* to be abrogate, is to leave the Ministers of the Gospel without a certaine rule for maintenance: *ergo* &c. The *major* is evident by two reasons; 1. Because maintenance is one of those foure necessary duties required of all men towards their Ministers now in the time of the Gospel; the other three beeing *love, countenance, obedience*. 2. In regard of those manifold mischiefes and inconveniences which must necessarily follow, in leaving them to a voluntary stipende or contribution of man, without a certaine rule given by God himselfe: as,

1. Flatterie, or suspicion of flatterie, in beeing thought to have some persons in admiration, because of advantage; which cannot be in tithes.

2. Dissimulation and deceit, in making as though they received little when as they have much; which cannot be in tithes.

3. By this meanes the poorer sort are either much disgraced in regard of that little they haue, or else are forced to straine themselves above their abilitie to their utter ruine, as wofull experience makes too evident in such places where Ministers live on contribution; whereas in the payment of tithes every man rests content with Gods blessing.

4. Ostentation in some, in giving much, and disdain- ing those that give lesse; which cannot be in tithes.

If it be objected, that all this may be amended by a sett stipende arising from goods proper to the Church; I aske what they understand by Church goods: If they meane tithes which are the proper goods of the Church; how can any man proportion a stipende better then God himselfe hath done, to give every Minister the tithes of those

people



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people committed to his charge? If by goods proper to the Church, they understand such voluntary offerings as shall be brought in by the faithfull into the common treasure of the Church, or otherwise shall bee rated by authority upon every particular person; then I demande what contribution can be so sure, what stipend established by man so certaine, but that either by the wickednes of the Magistrates who have power to establish, or inconstancy of those by whome it is to bee paide, or covetousnes of those by whome it is to bee collected and gathered, is subject either to change, or else to enforce Gods Ministers to the former evils: as is evident in all places, where Ministers live either upon such voluntary contributions or set stipends. But more of this hereafter.

The *minor* is thus proved; If there bee a lawe or rule, it is for more, or lesse, or the same certaine due; if it bee for more, why doe they withhold it? if for lesse, then are we in worse case then the Levites: but whether it be for more or lesse, let them shew us the rule, and we shall willingly consent; if they cannot then it remaines necessarily, that the same rule & lawe must stand in force for us now under the Gospel, which was in force for the Priesthood under the Lawe.

If they say that Paul sets downe a rule and law. 1. COR. 9. GAL. 6.6. I say then, it is a divine lawe, not humane; for more honourable maintenance, not for lesse; as all the reasons plainly enforce; and so whosoever withholdes the tenth is sacrilegious, unlesse they will main-  
taine Code and Statute above Scripture, and the lawes and constitutions of men, above the lawes and commandments of God. But the truth is, that neither of those texts are rules or lawes simply, but onely comments upon the first lawe, first imprinted in mans heart, and afterwards given by God himselfe unto Moses, and alledged by Paul for backing the same; as not onely the reasons

G

there

there alledged necessarily imply & enforce, beeing grounded upon the lawe of Nature, and the lawe Morall; but verse the 14 he concludes it to bee the same law, saying, *Sic enim Deus constituit &c.* Even so hath the Lord ordained that they which preach the Gospell, should live of the Gospell. Let men then either shew some other statute-law given by God, or else they must necessarily graunt, that Paul enforceth no other but the first lawe.

3. But because such is the corruption of mans nature, that they are more drawne to the practise of holy duties by the feare of punishment, then allured by the force of precept and hope of reward; take in the last place a reason enforcing this duty, drawne from the manifold judgements denounced and threatened by God, and no lesse inflicted upon such who have any waies beene detainers of his tithes in all ages, or any thing else truly dedicated to holy use for the better maintenance of his worship and service; where wee shall finde that such things have beene fearefully fatall to all the actors and abettors and their posterity after them: And here not to speake of that great punishment of the Iewes mentioned MAL. 3. nor yet of those notorious Sacrilegists of auncient times and in other countries; but to keepe our selves at home, and to speake onely of such particulars as are fresh in our memory, of that great sacriledge begun and seconded in the daies of King Henry the eighth, with the successe of it in all the actors and abettors of the same.

And first to begin with Cardinall Wolsey the president for future sacriledge, in demolishing certaine petty Monasteries and religious houses, though to a good intended use, for the building of two Colledges, the one in Oxford, the other in Ipswitch: both which, as they stand to this day unfinished as a witnes against him of his sinne; so not long after suddenly and unexpectedly followed his ruine and overthrow. From him come to the Lord Crom-



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well the instigator of the King to the dissolution of the rest remaining, though to an happy ende, even the rooting of Popery, Superstition, and Idolatrie out of this kingdome (which could never have beene so easily effected if those places had beene left in their being and glory); yet for neglecting to bee as carefull to render unto God his due by restoring unto him and his Church his tithes and other due rites, as hee was to roote out superstition and take away such places and particulars as were dedicated and given to such idolatrous uses, gathering into his owne hands a great part of those possessions; they proved not onely fatall to himselfe, as his fearefull (though lamentable) ruine shortly after made apparent; but those possessions have beene no lesse fatall to his stock and posteritie, who by vertue of his right have still inherited them: Yea take a veiwe of the whole Gentry of England into whose hands the revenues of the Church were then by way of exchange or otherwise divolved, and wee shall finde they have beene like to Tholosse gold, or those holy things spoken of by Solomon, which have not onely ensnared the soules of their possessors, and perished themselves in their use; but with themselves have devoured other faire and ample possessions: So that either the face or the name of our Gentry then in being is wholly changed, or else there is none remaining who are successively possessors of those tithes to a fourth generation; or, if there be any, either they want meanes of maintenance answerable to their births, or at least they want heires of their loines to continue those inheritances in their names: either of which prooves that generall assertion both of religion and nature infallibly true, that *de male quaesitis non gaudet tertius haeres*, of goods ill gotten the third heire shall have small cause to rejoyce. I might instance the like fatall successe of those revenues even in *Regia stirpe*, in the succession of King Henry the eighth. And

*Aulus Gell.  
lib. 3. c. 9.  
Prov. 20. 25*

the onely happines that our late gracious Sovereigne JAMES of blessed memorie, had in the remainder of those holy things, was this, that he was so happie as to ridde the crowne of them; and from my soule I wish that (as I have often heard it was his desire) so for Gods glory, his owne honour, the future happines of his posterity, & of his kingdomes, he had been so further happy as to have restored Gods part in his tenths unto the Church againe. And howsoever those who now possesse such tenths thinke they shall and may more safely and freely enjoy them, because they are perswaded they have paid more dearly for them: yet *caveat emptor*, let such buyers beware least before another third generation come, they proove not as fatall to them and to their posterity, as they were to their predecessors; for if once sacriledge, ever; our God from whome wee receive the whole, and to whom the tenth is ever due, being *the same yesterday, and to day, and for ever*.

Thus to conclude this point, By all these reasons it is apparent, that howsoever the lawes whereby men at this day pay their tithes unto their Ministers, be the lawes positive, and customes of Churches and severall Kingdomes wherein they live; yet the lawes whereby they are primarily due, and by which the true Church hath ever and doth yet challenge them, is the divine lawe of God.

And for the lawes Imperiall, and Canons Synodall and Pontificiall with the particular graunts and lawes of particular Kingdomes concerning tithes, they were made from time to time in favour of the Church, for the maintenance of divine right, and repressing the wickednes of such as would not have paid them, had not the feare of the law of man beene more powerfull with them then the lawe of God.

The truth whereof will appeare evident, if we take but a view of those Graunts, Lawes, and Chartelaries mentioned by Mr. Selden himselfe in his eighth Chapter, made

and



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& graunted by the Kings of England, where we shall finde them all grounded, and that onely upon the divine right; as in the generall Synode held in the yeare 706. under Offa King of Merceland, and Elfwolde King of Northumberland, with the full consent of all the Lords both spirituall and temporall, grounding that law of tithing upon that text of *Malac. 3.* they thus conclude, *Nemo iustam elemosynam de his quæ possidet, facere valet: nisi prius separaverit Domino, quod à primordio ipse sibi reddere delegavit: ac per hoc plerumque contingit, ut qui decimam non tribuit, ad decimam revertitur: unde etiam cum obestatione precipimus, ut omnes studeant de omnibus quæ possident decimas dare; quia speciale Domini Dei est; & de novem partibus sibi vivat, & elemosynas tribuat &c.* No man may give almes out of any thing he doth possesse, though upon never so just cause, before such time as he hath first set apart that to the Lord which he from the beginning reserved to be rendred to himselfe: for by this meanes it often comes to passe, that he which neglects to pay the tenth, is himselfe brought to a tenth: therefore we adjure all men that they studiously endeavour to pay the tenth of all that they have, because that is in a speciall manner the Lords: and to maintaine themselves and give almes out of the other nine parts onely.

pag. 199.

The like graunt he mentions of Ethelulph, anno 855. who gave with the consent of all the Lords both spirituall and temporall, the tithes of all his Kingdome to the Churches and Ministers of the same; free from all manner of Regal or secular service: in the conclusion of which graunt is added, *Qui autem augere voluerit nostram donationem, augeat omnipotens Deus dies eius prosperos: si quis vero minuerit vel mutare presumpserit, noscat se ante Tribunal Christi redditurum rationem, nisi prius satisfactione emendaverit.* If any shall augment this our donation, the Lord make his dayes many and prosperous: if any shall presume either

pag. 209

to lessen or change the same, let him know that hee shall give an account thereof before the Tribunall of Christ, unlesse before that time he make full satisfaction for the same.

pag. 213.

The like of the graunt and generall law made by King Athelstan, grounded, as he confesseth, upon the example of Iacob, and text of holy Scripture. pag. 214.

The like of King Edmund, *Decimam precipimus omni Christiano super Christianitatem suam dare.* 215. we command all Christians to pay their tithes upon forfeiture of their Christendome.

In the lawes of King Knout. pag. 222. *Reddantur Deo debita rectitudines annis singulis*, Let God have his due right yearly provided him. And then followes the lawe of tithe in kinde.

In the lawes made by King Edward the Confessor, having set downe the particulars what tithes ought to bee paid, this is the ground, *Decima pars ei reddenda est qui novem partes simul cum decima largitur*, The tenth ought to be paid to him, who together with the tenth gives us freely the other nine parts. And so of the rest.

pag. 225.

In roome whereof I wil adde the opinion of the Divines of the whole Vniversitie of Oxford touching personall tithes, against the doctrine of one Friar Russell, who denied tithes to be due *jure divino*; against which opinion they thus conclude, *Quicumque hanc sententiam tenuerit, & pertinaciter defenderit, apud reputationem nostram hereticus est censendus: & quia à sancta doctrina Ecclesie est divisus, à corpore ejusdem Ecclesie velut putridum membrum est prae-scindendus*, Whosoever shall perversely hold and maintaine this assertion, let him upon our credits bee held an heretique: and because he hath rent himselfe from the holy doctrine of the Church, let him be cut off from the Church as a rotten member of the same.

pag. 201.

I know Mr. Selden goes about to weaken these authorities,



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ties, especially of the Synode held under Offa and Elf-wold, by calling into question the faithfulness of the Centuriators, from whence he recites it; because the record of that Synode is no where else to be found, as he saith. And for the censure of the Vniversitie of Oxford, he affirms that they were too vehement and too confident in the point. But I leave to the censure of his owne Profession, with what indiscretion and more vehement confidence they would censure a poore Postillian Divine that should goe about to call into question the faithfulness of Ployden, the Lord Dyer, Sir Edward Cooke, Rastall, &c. because that all particular originall recordes of judgments and statutes recorded by them in their Commentaries, Cafes, Reports, Abridgements, are not come to his view, or it may be cannot be found, as being stollen by some filching hand, or perished by antiquitie of time, or the negligence of those that had them in custody: or, after that all the Iudges of the Land, together with all the Lawyers of all the Innes of Courts, after long and serious arguing, had determined a case in Lawe; some puny Barrister should censure them all to be too vehement and confident in their determination.

pag. 174.

And that all the world may see that the dull ignorance and ignorant confidence is not so proper to the poore Divines of these times, but Mr. Selden may shake hands even in these things wherein he would make the world beleieve he had no equal; take into your consideration his peremptory conclusion upon these two graunts and records following, alledged by him to proove that *decima* and *decimatio* are not alwaies taken for a *tenth*, but sometimes for a farre lesse portion: as also that the free disposing of the tenth, was in the power of the owner to give, what, to whom, and to what use he pleased, without the consent of Bishop or Incumbent.

Cap. 10.

The first, though second in the history, is a graunt of

Robert

Robert de Hessel to the Monastery of Gisburne in Yorkshire whereby hee gives, *duas garbas de tota terra quam de novo colui in territorio de Hessel postquam illam tenui; aut quam ego de catero colam, vel heredes mei; ita ut decimatio hac cedat in fabricationem Ecclesie nova de Gisburne*: here the gift of two sheaves onely out of all his land (saith he) is called *decimatio*: the which if he would make good, I would willingly give him yearly the price of a Ploydens Commentaries, and yearly gaine by the bargaine. But the truth is, he is much mistaken; for by *duas garbas*, wee may not understand two sheaves onely of his whole land new tilled; but as Doctor Tilsley observes, *duplam decimam*: and yet not two sheaves of tenne, but *duas decimas garbas*, or *primam & secundam decimam*, two tenth-sheaves, or two sheaves of tenth; the custome of tithing in that ground and territory being this, That the Collectors for that right of the Abbey of Gisburne, received, and doe still, the tenth and twentieth sheafe, and the Minister or Incumbent the thirtieth sheafe, or third sheafe of tenth; so that *garba* there, is the same with *decima*. The like custome to this I remember to be in the Parish of Hurst-per-poynt in Suffex, payable to the Abbey of Lewis: but whether it be of lands aunciently belonging to that Monastery, or otherwise a donation, as this of Hessel, I cannot well remember.

Further, it must be remembred concerning this custome, that the land newly to be tilled was a wood; some of it standing to this day: and all of it called the *Wood-field*: and so was not lyable formerly according to the custome of England to pay any tithe.

Secondly, in lieu of this the Incumbent receives annually out of that portion of Gisburne, nine threaves of corne, to wit, foure of wheate, if there be so much growing upon the ground, and the rest of barley. The which threaves may amount sometimes neare to the losse in the  
double



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double tithe given from him, and then no doubt did, much of it beeing lately converted from wood to arable; by which it appeares, that the alienation and graunt was not without the consent of the Bishop and Incumbent, but with consent of all parties.

The other is the customary payment of foure threaves of corne of every plough-land in the East-riding of Yorkshire, given, as he saith, by King Athelstan to the Church of Saint Iohn of Beverley (which came not, as he affirmeth, neere to the tenth) which threaves are stiled *decima* in a bull of one of the Pope Gregories, as if *decima* in one notion had signified any kinde of revenue devoutly offered to holy uses.

For answer hereof, I must confesse I cannot fully resolve my selfe of this custome by all the enquiry I have made; yet I shall be able I hope to enforme my reader so much, as shall proove the Historian much mistaken in this allegation.

First if they who have skill in the Saxon dialect may be beleaved, we may as well by [*fozne thraue*] understand the fourth threave of every plough-land, as simply foure; and then here was a greater quantity then a tenth. But take it as it is alledged, yet it is not so base and contemptible a portion as he would make it seeme to bee; for every threave beeing foure and twenty sheaves, and an hide or plough-land being usually not above thirty sixe acres, and in many places lesse; and part of this being medow, part pasture, and part yearly fallow; fourescore and sixtene sheaves, and that of the principall corne, as wheat and barley, was not so contemptible a portion as the Tithes-Historian would seeme to make it. But the truth is, I cannot learne or heare of any of the Laity that hold or enjoy any temporall land that payes, or ever paid any such portion to S. Iohn of Beverley, either by the gift of Athelstan, or any other King; nor that ever King A.

*If Caracuta (as himselfe confesseth) signifieth an hide or plough-land.*

H

thelstan

thelstan had any such portion in the East-riding, payable unto his Avenary by custome of the Country from the Laitie. True it is that there is a custome in the East-riding called *the payment of threaves*; but of another nature and foundation, and that begun in the daies of Saint Iohn of Beverley, under the raigne, & by the permission and favour of King Athelstan. The story by tradition is this; The East-riding, especially the parts about Beverley and Holdernes, in regard of the woods and waters, were much annoyed with the hurtfull beasts called Beavers, Wolves, Otters &c. which destroyed dayly their young cattell: the destruction whereof the Bishop having first endeavoured at his owne cost and charges, and in the end finding the charge to bee too great to be borne by himselfe, called to his aide & assistance all the Cleargie of the East-riding; who gave certaine threaves of corne (every one according to the valuation of his living) some more, some lesse; the which was first paid in kinde as it grew upon the ground, and brought home either to Beverley, or to places appointed, where men and dogges and horses were maintained for this purpose; in the ende the evill of beasts being by this meanes remooved, and yet this evill custome for the Cleargy remayning, it was changed first into the payment of certaine quarters of corne, after into a pecuniary payment, which in valuation is a double tenth, twice so much as wee pay annually to the King for tenths, and so may not unfitly be called *decima*.

Howsoever, graunt it were more or lesse, yet beeing paide onely by the Cleargy, and that out of the tenths of the Church, Pope Gregory might call it fitly *a tenth*, and yet no whit diminish the propriety of decimation, but stil under that tearme is intimated *a tenth* in some one *quota* or other.

Py which particulars it appeares, that the Tithes-Historian hath not beene so carefully industrious to informe  
himselfe



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himselfe of the truth of things, or not so faithfull to relate them as he doth confidently confesse and protest, but hath taken what may serve for his owne turne and purpose, to frame an history according to his owne intention, & not to the truth: the truth, or true history of tithes beeing no other then that which is contained in holy writ, and which is no whit subject to the Lawes Imperiall, or Canons either Synodall or Pontificall; but contains a law given by God, evenlike himselfe, which may not be changed, but must remaine one and the same throughout all generations.

The use of all which, as it serveth to enforce the truth of my generall conclusion, so to manifest, and manifesting to reprechend the sacrilegious impietie of these times, wherein men are so farre from holding it a duty of religion, a point of devotion,, an argument of thankfulness to God for his manifold blessings, to follow Jacobs example in building and repairing Gods house, and truely paying the tenth of what God bestowes upon them, that they thinke they can doe God & their Countrie no better service then in pulling downe his Churches and Chappels, to rob him of his tithes, and abuse & wrongfully disgrace his Ministers. We have a common Proverbe, that *PATER NOSTER* built Churches, and *OUR FATHER* puld them downe: This I confesse is contrary to our Profession; but if we will looke to the practise of these times, we shall finde it truely verified: for if we consider the practise of former ages, (I meane not those of the latter times of Popery, whose devotion was superstition) but those first times of the Church of Rome, and those times of other Churches; if, I say, we shall compare their devotion in erecting and building Churches and Chappels, their zeale in decking and adorning of them, their bounty and liberality for the maintaining of them for time to come, and compare it with our practise in these our

dayes; we shall finde that they were not so devout to build them, as we have been, and still are, to pull them downe; they were not more zealous to adorne them, then we are to deface them; they were not so forward and liberall to maintaine them, and the worship of God in them, as we are to pill and poll from them. For witnesse whereof, how many places of this Land may a man come to, where he shall finde most goodly and glorious houses, wrought both within and without, with most curious workes of the most ingenious Artists, environed about with all the delights and pleasures of man; and in the same place or parish shall finde God served in a thatched Church, or wooden Chappell? nay, with grieve let it bee spoken, how many such houses be there, that have been built with the stones and mortar of the ruines of Gods house? how many Churches and Chappels may be found in this Land, which are turned into barnes and stables, and to more base offices? how many are there againe in this our Land, which are hardly content with the most curious needle-workes, the purest linnen, and the massiest gold and silver for their owne tables, whiles in the meane time, Gods table must be content with some peice of linsey-woolsey for a carpet, course linnen for a table cloath, & if they will be at cost for a silver chalice, for other vessels God must rest content with brasse and pewter, & in many places hardly that. It is recorded of the Jewes in the third of Ezra, that at the building of the second Temple, they amongst them that had seene the first Temple, and compared the glory of it with that they were now to build, burst forth into mourning and lamentation: so if we should passe through the parts of this our Countrey, and compare the Churches that are now built, with those that were built in former ages, or those that were built formerly, with that we may reade or see them to have been; it would make the stoniest heart to grieve, and the driest eye



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to shed some teares, to behold so great a desolation in Gods Sanctuary.

And as such and so great is the evill will that men have to Gods Sion, in respect of the place of his worship; so no lesse, nay more in the matter of maintenance and respect to his Ministers, which are speciall meanes to encourage and to enable them for the performance of the parts of his publicke worship in those places.

Not to speake of any Symoniacall contracts, impropriations, appropriations, customes, compositions, prescriptions, prohibitions, inhibitions, as things that never trouble mens consciences, and by which they have, and doe daily rob God and his Church of the best part of his spirituall inheritance; but to speake onely of that small portion of maintenance which the iniquitie of times hath left yet remaining to the Church; and it is strange but to imagine, what shifts, trickes, and devises men have, and all to coosen God of his right; what shifting, what chopping and changing from field to field, Parish to Parish, kinde to kinde; thinking every little too much that the Minister enjoys, and all well gotten that they can deceitfully get from him: or if their envying that little we have, or the private coosening of us of what is our due were all, yea if we might have but faire proceeding at the Law for what is violently detained from us, we could hold our selves well contented; but to have it violently wrested out of our hands (or rather Gods) by perjurie, crueltie, and oppression, is an height of impietie more then heathenish.

For wittnes of the truth hereof, how often falls it out that a Parishioner discontented with his Minister, it may be because he cannot have his tithe at his owne rate and pleasure, or it may be for just reprehension of him for with-holding Naboths Vineyard, or keeping his brother Phillips wife, or some other such like crying signe: this

discontented person by way of revenge instantly detaines some part or the whole of his tithe, puts the poore Minister to a long & tedious suit, forcing him thereby to come to a cōposition for his owne, & so, as to stand to his worships courtesie; but if it fall out that he cannot get his desire, he calls in his Tenants, friends, and neighbours, pleading a prescription and customary paiment of some kinde of tithe, and that not for himselfe, but the whole Parish, adviseing them to joyne and holde with him; who, either out of feare of his person, or hate to their Minister, or rather covetous desire of what they ought not to have, cry, *Faciamus impietatis parietem unum, habeamus etiam omnes unum marsupium*: and having thus impiously smitten hands to hold together, least the Minister should get the day (which of all other is held the greatest disgrace, be his cause never so good); their next care is to suborne witnesses, which usually goe accompanied with these two good properties, *old men*, who have forgotten to speake truth, or else think they may speake what they list, because they thinke none can controll them; swearing oftentimes for many yeares before they were borne: or secondly, *poore and needy persons*, such as are ready to sell themselves for a moriell of bread; so that if they should be prooved perjured, the poore Minister should have no redresse against them, but to get an obdurate eare and a perjured tongue, unsavory and unprofitable moriells for distressed soules, and a poore recompence for so great a losse. From these honest witnesses it goes to a jury of laymen, and those usually picked out of purpose, men of more law then conscience; who, knowing that the Iudge must of necessitie give sentence according to their verdict, instead of examining the cause, crie, *iam nostra res agitur*, it is this mans cause to day, it may be ours to morrow; let us take heed how these black-coates get the day of us; and so never making more enquiry either into the nature of the evidence given by the

Judges



Iudges, or the qualitie of the witnesses brought in to proove their evidence, crie with one consent, *Billa vera*, all is true that is alledged against the Minister; and, which is not the least of evils, when hee is thus doubly forsworne out of his right, yet he must undergoe the censure of a troublesome factious fellow, which would not rest contented with what his predecessors enjoyed before him.

Never any age wherein men were more forward to call upon their Ministers for the performance of their duties, never any wherein they were more subject to censure them upon the least omission, never lesse regard had either of their places or persons, men never envying the happines & prosperitie of any other profession, so they can keepe the Ministers of God poore enough. For evident proove whereof, take into your considerations another particular.

A Minister holding two benefices (carefully providing to have them both served, & paying for these ordinarily or extraordinarily toward the necessary affaires of the King and Kingdome, and giving more to the releefe of the poore then it may be his whole Parish, or the best Iustice in the Country about him) this is held a great impietie, a roaring sinne of these dayes: and yet in the meane time, for a layman to hold foure, five, sixe, or eight spirituall livings, the least of them (it may be) worth both the others; and out of all these hardly allowing so much as would sufficiently maintaine an able Minister, nor yet paying any thing toward the necessary affaires of the King or Kingdome, is by no man maligned or envied.

True it is, that to cloake all this impietie it is pretended that conditionally every Minister would be content with one living, and every Church and Chappell might be provided of an able preaching Minister, they could wish that there might be a competency allotted out of all livings, impropriations, and other, for the better and sufficient maintenance of Ministers therein. A faire cloake I must  
confesse

confesse, if the cloth were answerable to the colour; but *quadam videntur & non sunt*, all is not gold that glistereth. Give you mee leave therefore a little to examine this competency, and to aske the question;

1. Tim. 5. 17.

1. Of what nature it should bee: whether they will provide for all Ministers portions alike, equall or unequall. If to all equall, then would they doe wrong to God and his Ministers, who, as he bestowes upon some greater gifts, will have them served and rewarded with a double portion; according to that of the Apostle, *He that ruleth well is worthy of double honour &c.* if they say their portion shall bee unequall and answerable to mens deserts, then in the second place give mee leave to aske, By whome shall these portions bee proportioned? by whome shall mens gifts bee judged? by whome shall these portions bee conferred and bestowed? doe wee not thinke that a Brother, a Sonne, a Kinsman, a Friend, a velvet Gowne, a Coach and all other necessary furniture, nay three or foure hundred peeces will beare as great a stroke, and worke as feelingly in the bestowing a pension of an hundred pounds *per annum* certaine without further charge, as now in bestowing a living of that value & rate uncertaine. If Christ had foretold, that in the latter daies charitie should abound, and iniquitie grow cold, there might have beene some hope that with the change of the forme the evill might have beene avoyded, but Christ having told the contrary, it is against hope to expect it.

But to goe on a little further; why should any man goe about to prescribe God his allowance, when God himselfe hath allotted and proportioned it? Is not this for men to make themselves wiser then God? Or is it likely that they who now make no conscience of breaking Gods law in taking from him and his what he hath allotted and given, will make any conscience to change the rowne lawes to lessen, or wholly take from God and his Church what they  
them



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themselves shall allow?

God hath given and allotted us the tenth: the tenth we challenge as Gods and our owne proper due, which no man can detaine without sacriledge: let them give us that, as God hath given it, and I dare say the Church will not onely carefully provide for every Parish an able and sufficient preaching Minister, but wee shall all rest our selves satisfied with one cure of soules: yea let us have our tenths duely and truly paid as God commanded, and as we have proved due; so farre shall they finde us from covetousnes, that wee shall be willing to resigne up all our temporalities ( the royalties and dignities of the Church onely excepted: ) and yet wee dare maintaine that the Church hath as good right unto them, as any temporall Lord hath to his temporall possessions, though he can claime them from the donation of Brutus ( if any such were ) first King of great Britaine.

But for men to talke of a competencie to have every Parish provided of a sufficient preaching Minister, and every Minister content with one cure of soules, and yet they to keepe any part or portion of the tenth in their owne use and possession, is an evident signe that howsoever this plea of competency beare the shew of religion ( and I am perswaded many wish and desire it out of a good heart ) yet it is a plaine sleight of the Devill for the utter overthrow of all pietie and religion by bringing into the Church an equality, by equality to bring in poverty, from whence as followes necessarily a contempt of the persons and calling of Gods Ministers, so no lesse a contempt of their doctrine, according to that of Saint Bernard, *Cujus persona despicitur, ejus doctrina contemnitur.*

And that I may speake no more then the truth, I desire men to consider of the present respect given, and uncivill dealing by men of all sorts to and with the Clergy of England; as their supercilious lookes, their scornfull and op-

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probrious tearmes and titles, their pilling and polling, their posting of us from wall to kennill, from the hall to the parlour, from session to assise, with twenty other such disgracefull abuses; the base estimation of our callings and labours, thinking no men so easily come to their learning & living as the Minister, no mans paines lesse then the Ministers; equalling, nay preferring oftentimes their Clarke, Horskeeper, or Huntsmā before their Chaplaine & Pastor; thinking twenty pounds *per annum* with a lease in reversion for the benefit of wife and children to be but a reasonable allowance for the one; whilest bare twenty pounds *per annum* without either livery or lease in reversion is held a Lordly allowance for the Minister. An evident demonstration of the large competency we should have, if we should leave Gods claime and our right of inheritance in tenth, to come to mans allowances.

I denie not, but some men will use some Prophets kindly; this man, because he is a good fellow and good companie; another, because he is well borne and well friended, such an one as is better able by his purse and friends to bestead his neighbours, then they him. Others, more daintie eared then tender conscioned, are all for tongue and eloquence; others, discontented with that little glorie and maintenance the Church hath yet left, if they can meete with a discontented Separatist, doe honour him like a S. Paul, or S. Augustine: and indeed, as these times goe, the more factious, the more in some mens bookes. But to finde a man that loves, respects, and entertaines a Prophet *in the name of a Prophet*; this is a taske for which a man had neede, with Diogenes, to use a lanthorn at noone day. So that as one hath wittily defined a Papist, to be such an one as loves his Neighbour, and eates his God; another a Puritane, to be such an one as loves God, but hates his Neighbour: so may I no lesse truely define a common Professour of these times, to be such an one as

loves



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loves preaching, but hates the Preacher. Never more calling upon them for Sermons at all hands, never lesse respect had unto their persons or maintenance; dealing with the Ministers, as Pharaoh with the Israelites, doubling our taske, but lessening our straw; or giving us by their good wills nothing but straw for all our great paine and perilous labours.

Neither are these all the evils that attend the Clergy of these times, but there bee two particulars more which much helpe to encrease their miseries.

The first is the consideration of the reasons alledged why they are not so religiously devoted and affected towards Gods house and Ministers as formerly; namely, for feare least we should grow rich and proud, and trample upon the Laitie, as in times of Poperie; or least if they should be curious in decking Gods house, pious in maintaining and reverencing his Ministers, they should make way to bring in Poperie and superstition.

For answer, I deny not but the Clergie in times of Poperie were too covetous, too proud, too superstitious; but because they then fleeced the Laitie, must the Laitie now needes fleece the Clergie? because the Pope in his pride trampled on the necke of Kings, must every ordinary person, who hath but a little more wealth or honour then his neighbours, trample on the heads of our greatest Clergy? because they were too curious and superstitious, must we needs be carelesse and irreligious? It stands not with our profession, much lesse with our religion. And as for bringing in of Poperie by this meanes, it is so little to be feared, that I dare say, the neglect of these forenamed particulars, is and hath been the cause to hold up the head of Poperie so much in these Kingdomes: it being a principle, not onely in Religion, but Nature, that where there is a neglect of Gods house, a contempt of his Ministers, either in withholding that honour and maintenance, or

withdrawing that respect and countenance which is due unto them, the profession of religion in such persons can never be sound or sincere.

The second evill aggravating the misery of the Church and Churchmen, is the consideration of the persons who have been & are so injurious unto them, who are not onely Lay-men, *FILII ALIENI*, *Ammon and Amaleck, the Philistins*, and those of Tyre, who take the houses of God into possession, whose sole and greatest part of patrimonie consists of the revenues of the Church: (for it is no wonder that those maligne us, seeing that as a thiefe or murderer hates none so much as the persons and friends of them whom they have robbed or murdered; so it is impossible that these men should looke upon the thinne cheekes, bare cloathing, & base respect of Gods Ministers, and compare them with their owne well furnisht tables, rich and gorgeous attire, great estimation and account, and all this arising out of the Ministers maintenance, but that, their owne consciences accusing them with theft and murther, the persons of Church-men of all other should be most hatefull unto them:) these, I say, are not onely of our backe-friends, but *Perditio tua ex te o Israel*, there are *de nobis*, such who have made an entrance into sacred orders, and so are, or at least ought to be of us, to maintaine the honour, credit, rites and priviledges of God in his Church against the enemies and adversaries thereof; yet feare not both by pen and preaching publickely and privately to seeke the ruine, destruction, and overthrow of the same. I know generally, and for the most part these are onely your *fratres spoliatores*, your Fryer mendicants, stipendary Preachers, together with your rambling crue of wandring Levites; who though they seeme to hate nothing more then a Bishop, and double benefice, yet would they willingly *ἀλλοτρίοις επισκοπῆν*, be busie Superintendents over all the Parishes in a Countrey. Whose maintenance

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arise as they can raise faction; and whose faction encrease by setting the Pastor and the Parish together by the cares; and no better way & meanes for these purposes, then to equall or preferre their private meetings & places thereof, with or before the publicke meetings of Gods Church; denying the payment of tithes to be due *jure divino*, leaving their maintenance to every mans particular bountie, and goring the sides of their fellow Ministers by false and scandalous accusations and aspersions; by which meanes they have so scrwed themselves into the affections of the Laitie (who had rather give twelve-pence of bountie to a stranger, then two pence of dutie to their owne Pastor) that no men live so richly, none more contentedly; whilst in the meane time, the Parsons & Vicars live no where in more disgrace, in no places so unquietly and discontentedly, as where such kinde of teachers live, and are frequent. But if these men did rightly understand what belonged to a cure of soules, nay if they preferred not their owne glory before Gods, and the filling of their owne purses before the feeding of mens soules, making their gaine their godlinesse; it is impossible that they should write, preach, and doe so opposite, not only to the text of Gods word, but the testimonie of their owne consciences, which cannot but convince them either of wilfull ignorance, or obstinate error, in running such irregular and irreligious courses. Neither are these onely our backe friends (who I may truly say are *amongst us*, but not *of us*;) but there are (the greater our misery) *ex nostris*, such who know the Law, that they who doe such things are worthy of death; more, who are placed in high place in the Church, for the protecting of it, and the rites thereof, and to punish those that doe contrarie; yet these men, either doe the same things, or at least are patrons, and favourers of them that doe them. So that the Church, or God for his Church may justly take

take up that complaint of the Prophet, It is not mine enemy that doth me this wrong, but my familiar friend that eates at my table, yea whose table I have filled with a full hand; he hath lift up his heele, tongue, hand, and all against mee.

But when I speake in these generall tearmes I would not be thought to be like Eliah, that I onely were left a friend to Gods house and his inheritance; nay there are (the Lord be blessed for it) many thousands in the Church of England who have not bowed their knees to Baal, who have not yet put to their hands for the pulling downe of Gods Sanctuary, the robbing God of his tithes, or abusing his Ministers. And here I may not forget that mirrour of pietie in this kinde, I meane K. James our late Sovereigne, ever of blessed memory; who for his zeale to Gods house, his care for the advancement and increase of true religion, and for his love to Gods Ministers, may well be called another Solomon: witnes his care in his first settling, to settle religion as the foundation of his other buildings, and to establish to this end all things in order and peace in the Church, with his constant course for the maintenance and increase of the same: witnesse his forwardnes, not onely to provoke others by command, but by example, by his owne purse and bounty to repaire Churches in divers parts of this Kingdome, to restore and endow, yea to raise Bishoppricks and other maintenances for the Clergie, both in Scotland and other parts of his dominions: witnesse his love in restoring Bishops and others to their auncient privileges and dignities, to be not onely *à sacris*, but *secretioribus consiliis*, of his sacred, but most secret and private counsells: witnesse his readinesse and forwardnesse of all hands to doe the Church any good; even to the restoring of her right in tithes. In all which particulars had the hearts of his Subjects beene upright with God and him, as were Solomons in the dedication of the Temple; I doubt



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not, but as in other things, so in this I may truly call him another Solomon. Neither are our hopes any whit lessened in his Kingly Sonne Royall King Charles our most gracious Sovereigne, who is the lively image of his Royall Father for interiour vertues and endowments of soule and minde, especially those which have been the greatest glory of Christian Kings, and wherein his Royall Father placed his highest pitch of content and happinesse, to be the Defender of the Christian faith, a Nurse of Gods Church, a Patrone and Protector of his worship, with all the places, persons, and rites thereunto appertaining and belonging. To these two tall Cedars of the worlds Libanus may we adde many strong and goodly Okes of our English Basan, as many a Iehoiada, Obediah, Centurion, Reverend Bishops, Right Honourable Counsellors, with other Nobles of high ranke and degree, truly borne Gentry, who neither leaning to superstition on the right hand, nor to faction on the left hand, but walking uprightly with their God in truth and sinceritie of true religion, labour to testifie the same by their bounty to Gods house, and respect to his Ministers; and I would these were not teamed your State-Protestants, your temporizing professors, nay friends and abettors of Popery and superstition: yea Cesarea hath a Cornelius, Ioppa a Simon, Ephesus a Priscilla, &c. many Galatians are there in many parts of this kingdom, who for the good of Gods house and his Ministers would willingly plucke out their owne eyes; and howsoever the world accounts of them, yet I doubt not but at the generall day of accounts these shall passe freely with a *Scio* and *Placet* for men truly wise and religious, when their scornors shall be stayed with a *Nescio* and a *Non placet*, as being unworthy of any degree or place in the Kingdome of heaven. Thus I say there are some of all ranks, orders, and degrees, who like Ioseph and Iacob bring Gods blessing, and with Mo-

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ses in the gap withhold Gods hand from his fierce judgement: who (maugre all the spight and malice of Satan and his abettors, the enemies of God and his inheritance) are and will be liberall towards the maintenance of his house, respectfull of his Ministers, willingly and liberally honouring them both with maintenance and countenance. But alas these are but as a gathering after vintage, and a gleaning after harvest, if you come to *Uox populi*, the generall cry of the generall number, who either can or will cry no other song then that of the Caldeans at the sacking of Ierusalem, Downe with Churches, away with tithes, let us trample both them and their Priests downe to the ground.

All which duely considered, as it gives all true hearted Christians just cause to lament and bewaile the wretched and miserable estate and condition of men in these times; so gives it us no lesse cause to feare, that God hath some extraordinary plague or other in store for us, which without repentance will speedily and suddenly fall upon us; yea Gods judgments, as a just punishment of this sinne, are already fal'n upon us. And that it may appeare to others, that this feare is not causelesse, this assertion truthlesse, let us take into our consideration these three texts of Scripture: the first is that of Deut. 28. 15. 16. 17. &c.

From whence I make this inference, that if he which keepes not all Gods Commandements shall be obnoxious and lyable to all these curses (many of them fitly squaring with the evils of these times;) why should not the committing of that sinne which at once breakes seaven of the ten Commandements? For what man can truly say he loves, feares, or trusts in God, when hee regards not his house, nor his Ministers; but robbes both him and them of that maintenance which he hath reserved to himselfe for that purpose? or how can God bee worshipped with holy worship, how can his Sabbaths be duely & ho-



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lily kept, how can we be sayd to honour our parents, when our spirituall Fathers are not onely contemned, but robbed of those things which God hath allotted for their better maintenance? and lastly, if to covet not onely Gods, but the Ministers house, wife, maintenance &c. to robbe God of his tithes, and that to the grinding of his Embassadors faces, be not a breach of the 6, 8, and 10 commandment, impossible it is that they should bee broken. I say, all these considered, why may not this sinne which thus at once violates 7 of the 10, bee the very cause, or at least one of the principall causes of all the evils that are lately fallen upon us?

But because generall threats take small place in removing particular and accustomed sinnes, in the next place view and consider H A G. 1. and M A L A C H. 3. the one concerns Gods house, the other his tithes, both his Ministers respect and maintenance; where if wee compare the sinnes and punishments there mentioned for those sinnes, with these times, wee shall finde them in many points fitly to answer one another.

For first for the sinnes, was there ever any age wherein men might more truly be sayd to dwell in seiled houses, and Gods house ly wast; whenas the houses of every ordinary Esquire, for glory without and rich and costly furniture within, is answerable to the ancient mansions of Nobles, yea pallaces of Kings, whilest Gods house was never lesse glorious without, never more poore and bare within? Or was there ever any age wherein men might more justly be accused for robbing God of his tithes and offerings, then this of ours; who robbe him not onely of superfluities, but of his very tithes of inheritance; allowing in many places hardly a tenth, nay not a twentieth part even of that which he hath wholly reserved for him and his?

And for the punishments, they are no lesse answerable:

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let me give you a bill of some particulars: and herein, not to ascend higher, then since the time that that myserie of iniquity the *History of tithes* was first revealed to the world, since which time the sinne of sacriledge hath turned Catholik-christian, a warrantable sinne, if not a commendable vertue; but yet not *impune*: for was there ever any age wherein hath been noted more frequent exportations of English commodities, especially of the fruites and increase of the earth, but with lesse accrument and advantage either to the exporters, or to the kingdome? and hath not experience taught us of late times, that our barnes some yeares, have scarce ever beene fuller of straw, and yet at the very selfe same time our garners seldome emptier of corne? have not our fields some times laughed and sung as it were with a promising harvest, and yet our sheafes when they came to undergoe the threshers flayle, have wept as it were and shrunk away, not fearing so much the blow of Tribulation, as conscious to themselves of their owne inability to satisfie the husbandmans labour & expectation? And why may not this (to passe all others) be a very pithy and satisfying reason, *viz*, God seeing men hug and fat themselves in their owne conceits with hopes and expectations of great increase, but like the hog under the tree never looking up to the Author of their welfare, grudging God a cut of his owne loafe, and basely denying, as their manner is, the repaimēt of a tenth for the free donation of an hundred fold; why I say might not this be a just inducement to Almighty God to blow upon their harvest, and so sometimes frustrate their greatest expectations? And againe, was there ever any age, wherein the most pregnant men have more beate their braines by new projects and devises, to fill both the publicke treasury and their owne private purses, but with lesse successe and honour to their enterprizes? so that it may truly be said as it is in HAGG. 1.6. *They have sown much and brought in*

*little*



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little; eaten, but not had enough; drunken, yet not beene satisfied; they have sit as it were upon addle egges, taken up their Inne at the *Labour in vaine*, their wages and earnings have been trussed up in a broken bag.

To adde to these, hath not the Turke, and Dunkirk, and other enemies (as our haven-Townes too well know by experience) much destroyed and endamaged us abroad? and at home have not our informers, projectors, monopolists, that hellish brood of state-horseleaches, sucked out almost the very hearts of the subjects purses, if not of the Kings treasury? hath not the Lord thundred diverse wayes from heaven, shot out his arrowes of wrath and indignation, the arrow I meane that flyeth by night, and devoureth thousands at noone day, and no doubt for our reformation and amendment as well of this crying sinne of sacriledge, as of any other grosse enormities whatsoever? Is not our kingdome at this present involved and perplexed with many perilous and hazardous engagements, the successe whereof in likelihood depends upon the reformation as well of this as of any our other intolerable impieties? And lastly, how ever *dulce bellum inexpertis*, warre was the votes and desires of many men during the times of quietnes and peace; yet upon this little experience we have had of late, we quickly perceive how great a devourer warre is both of the publicke and private stock; and consequently a punishment upon a kingdome, though never so justly and necessarily undertaken. To these might bee added many more; but I had rather deale my instances in this kinde by weight then number.

Neither will it serve for excuse to say that the defacing of Gods house and the alienation of his tithes to the dishonour of God, and the prejudice of his Ministers, was an act of our forefathers done many yeares since, and it is not like that God after so long a time will punish the sinnes of the fathers upon the children: or if it were a sinne, it was

done by the exemplary practise of the Church, who suffered them to be so alienated: that our Ministers are not so many as were amongst the Jewes, and those not so good in these times as to deserve so great a portion for their maintenance as the tenth of the whole land and kingdom.

For to answer each in a word; For the first, I say it will not excuse the edging of the childrens teeth that their fathers have eaten sowre grapes; & howsoever God doth not alwaies punish the sins of the fathers in and upon the children, yet if the children live and continue in their fathers sinnes, wickedly to possesse that which their fathers wickedly gott, in the punishment of the child the fathers sins are not forgotten, though it be to a fourth generation.

Neither in the second place can the Churches practise in times past be any warrant or excuse for the practise of these times: for if they speake of the first alienation in the times of the Schoolmen, though they were alienated from the true use of parochiall right, yet not altogether from the use of the Church; Monasteries, whether of Monkes, Friers or Nuns, whether regulars or seculars, being accounted the greatest and principall amongst Churchmen in those times.

Again, how weake a reasoning is this, to reason from the corrupted times of the Church, the dayes of covetousnes and ignorance, when Popery and superstition were at their height, to maintaine the selfe same practise in these dayes, these glorious daies of the glorious light of the Gospel? Wee hate to follow them in all other doctrine and practises, why should we goe beyond them in this?

If they speake of the times of the dissolution in the Reigne of King Henry the eighth, I answer more then what I have sayd in this particular before; that I never heard any understanding man either Protestant or Papist,

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though he can be content to hold tithes by vertue of the practise of the Church in those times, but he accounted of the taking away of the tithes as a thing in its owne nature wicked, a practise neither warrantable by the rules either of religion or reason. And howsoever the Ministers of these times are not so many as were the Levites for proportion with the rest of the people, and these not all so good as were to be desired, yet God who demaunds the tenth, and from whome we receive the whole, is no changeling, but alwaies one and the same both to us and them: or if there be any odds, it is on our part, in that what we want in number we have double in the excellency of our ministry and ministeriall function with the glad tidings we bring men: and let them make the worst of us they can, they cannot make us worse then were the Priests and Levites in the dayes of Malachi and of our Saviour Christ, yea I dare say there are now in these kingdomes more and more able men for the worke of the ministry, and more conscionable for the performing their duties, then ever were since the first settling of the Gospel in these parts. And lastly, for the length of time since the first alienation of them, whether they understand it of the time of Alexander Hales, or the dayes of King Henry the eighth, I answer, *Nullum tempus occurrit Regi*, time will not prescribe the title of an earthly King, and shall it stand good against the right and inheritance of the King of heaven? Secondly, God hath not altogether deferred to punish us in all these times, but hath sent amongst us many, and those extraordinary punishments, though wee have slightly regarded them, or at least not accounted them as punishments for these finnes principally amongst others. But say God had not hitherto, yet now he hath; and it is not usuall with God to punish sinne alwaies at the first, but onely in his dearest children: as for obstinate sinners, he lets them go on in their sins till they come to their full height,

*Sr. Hen. Spil-  
man.  
Sr. Iames  
Sempill.*

that so he may punish them with more severity. And if this sinne of sacriledge were at the height in any age, Church, or Kingdome, we may truely say these are the times, in that, notwithstanding the glorious light of the Gospel hath shined so many yeares together amongst us, notwithstanding the glorious example of a religious King, the great number of able Ministers, and the daily endeavour of these Ministers (yea of Lay-men themselves, the more their honour) both by preaching and writing to withdraw men from this sinne, by drawing them to give God his due both in his house and inheritance; yet men grow worse and worse, their hearts in this sinne more and more hardened; yea so impudent and brasen faced are men growne, that they dare maintaine it not onely by private practise, but publicke pen, shouldering God and his servants out of their owne, either by plaine force of armes, or trickes of playing legerdemaine. All which considered gives us just cause to beleieve that this sinne is not only one cheife cause of the present evils in & of these times, but that God hath some other great plague to punish us withall, without our speedy and hearty repentance; that God should take from us the light of his Gospel, & send us a famine of his word as he hath of other his blessings, the next step to the utter destruction both of soules and bodies: from which evill the Lord for his mercies sake long keep & defend us! And that wee may the better hope and expect his mercy therein, let us every one in his particular ranke, order, quality, and condition, labour for the good of Gods house, and give unto his Ministers that countenance and maintenance he hath given them, and requires on their behalfe at our handes towards them.

And first, right honourable Iudges the pillars both of Church and common wealth, let mee intreat you in the name of God and his Church, that as your lawes and judgments flow from the seas of Gods lawes and statutes, so  
they



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they may returne thither againe in streames, to the maintenance of the same with all the parts and persons belonging thereunto; that you would bee pleased in your circuit to take a viewe of the ruines and decayes of Gods house, the place where his honour dwelleth; and amongst other particulars of your charge, helpe forward mens backward devotion, by teaching them the dues, and bewailing the ruines of the same.

And seeing that the sinne of sacriledge is growne to that height, that men feare not by perjury to hazard their owne soules for the committing of it, that you would be pleased to suppress the great number of prohibitions graunted in that case, the cause of this evill to the damning of many a soule; and that you would consider in the case of prohibitions and suits of this kinde, the nature, quality, condition, both of witnesses and jurors, enforming them not onely of the truth of the evidence, but of the nature of the sinne both of sacriledge and perjury with the judgments of God necessarily following upon the same.

And seeing wee that are Gods Ministers doe not withdraw our selves from the secular yoke and power, but acknowledge our selves to be bound in all obedience to our civill Magistrates, both King as supream, and his Ministers under him; that you would be pleased to enforme all men of the quality and condition of our persons and places, to teach them the bounds and limits of their power, that so we may not be made a dayly pray to the insulting humour of every man in inferiour place and office.

And as I have beene bold to make this request to your Lordships, so give mee leave to second the same to all, that every one in his severall ranke and degree endeavour the reformation of these finnes and abuses both in themselves and in others. And to this end, let us not looke so often on our stately built houses, so well beautified without, and so well furnished within, and seeing Gods house  
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having neither glory without, nor beauty within (the Gospell excepted;) but lying ruinated and in the dust; let us call to minde what a sinne it is for us to dwell in our seiled houses, and Gods house lye wast; and so to our severall qualities and abilities cast some few mites into the treasure of the Sanctuary for their repaire and maintenance. So often as you looke upon your rich tapestry carpets, pure and fine linnen, rich and well furnished cubboards of plate of all sorts and fashions, thinke it a shame for you to bee thus richly and abundantly stored, and Gods house and table in the meane time so basely & contemptibly provided; and spare something out of your superfluitie to Gods honour for the beautifying of the same. So often as you walke into your well grown fields abounding with all sorts of graine and other things necessary for your corporall sustenance, your garners full abounding with all manner of store, your sheepe and oxen bringing forth thousands and ten thousands in your pastures, your sonnes growing up like young plants, your daughters like polished corner-stones, your selves and servants and cattell healthfull and strong to labour for the daily increase of your states; call to minde from whom (namely God alone) you receive all these blessings and abundance; and thinke it a shame to detaine from him and his that small portion of tenth that hee hath reserved for himselfe and his Ministers for the better feeding and nourishing of your soules. And that the Merchant and Tradesman may not thinke himselfe exempted from this duty, because his gaines are not so easily knowne and descryed; so often as he viewes his ships come safe from sea, full richly stowed with all manner of choice & time-serving commodities, filling his warehouse and returning to his coffers an hundred fold for his outsent adventures; so often as he beholds his shoppe thronging with chapmen for the venting of those his farre fetcht or home made commodities, so greatly enriching  
his



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his estate that he is able yearely to adde house unto house, land unto land, lordship unto lordship, till he know no end of his wealth; rising, as in estate so in honour, from the lowest to the highest ranke and degree for the place wherein he lives: let him seriously call to minde from whome he receives all these blessings, and thinke it a shame, yea a sinne to receive all this from the hands of God dayly, and in the meane time to returne him thanks with a twopenny dole at Easter, or if he stretch himselfe to a ten shillings gift (for due he will acknowledge none) to hold it a worke of supererogation, for which God and his Minister are bound unto him all the yeare after in all things to be at his command, whilest in the meane time his poorest tenant in the country, who sits upon rackt rents, and hath no more besides his handy labour but a Cowe, Goose, and Sowe for the maintenance of himselfe and family, shall returne God by way of thankfullnes double his proportion, and blesse God that he hath it to render him by the hands of his Ministers.

And howsoever we your poore Ministers are but men subject to the same infirmities with your selves (yea, as Saint Chrysostome affirmeth, ὅσα μέγα τὸ ἀξίωμα, τοσούτω μείζους καὶ οἱ κίνδυνοι τῷ τῷ ἱερωσύνῳ ἔχοντι, *quanto celsior dignitas, tanto Sacerdotis majora sunt pericula*) who in regard of the excellency of our callings, and opposition of Satan against us in the same, are subject to more dangers then others, and so our slips and falls more and more notorious then of those in other callings; yet remember we are *Regale Sacerdotium*, we are Gods Embassadors, beseeching you in Christ his stead, representing his person; and so afford unto us that due honour that our places and callings require; though not for our owne, yet for his sake that sent us: and in a word to conclude all with that saying of holy Nazianzene; *O yee sheepe, take not upon you to prescribe rules and lawes of maintenance to your sheapheardes;*

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neither

Chrysost.  
Hom. 1. in  
cap. 1. Tit.

Act. 20. 28.

neither incroach upon their priviledges and possessions; let it suffice you that you are rightly fedde; take not upon you to iudge your iudges, nor give lawes, to your lawgivers; remem- bring alwaies that not you nor wee our selves, but God hatb made us the Pastors of your soules: or to use the Lords owne wordes HAG. 1. 8. Goe up to the mountaine and bring wood, and build the house, and I will take pleasure in it, and I will be glorified: and MALACH. 3. 10. 11. 12. Bring yee all the tithes into the storehouse, that there may be meate in my house, and proove me now herewith, if I will not open you the windowes of heaven, and powre you out a blessing that there shall not be roome enough to receive it; And I will rebuke the devourer for your sakes, and he shall not destroy the fruite of your ground; neither shall your vine cast her fruite before her time in the fields of the Lord of hosts: And all nations shall call you blessed: for you shall bee a delightfull land, saith the Lord of hostes. Of which blessings that we may bee partakers, he graunt us to doe what he commands, even the God of Abraham, Isaac, and Iacob, to whome be glory and honour from generation to generation.

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**Q A brieft Prescript to the  
Appendix.**

**A**fter this discourse had lain five yeares by me, and had taken it's last farwell of me for the Presse, and was at the instant of printing, there came to my hands a manuscript of an unknowne Author, written by way of answer to Doct. CARLTON, S<sup>r</sup>. HENRY SPILMAN, M. ROBERTS, and others; the which when I had read over, I found it to be a meer invective, written with the pen of some malicious Martin Mar-prelate, containing as many scurrilous raylings as pages, more lies then leafes; and so unworthy of answer. Yet being certified by the friend that brought it, that it passed from hand to hand amongst many of our Gentry in these Northern parts, and that with so great approbation, that some of them were resolved to have it printed at Amsterdam, the most proper place to bring forth such a birth; I thought it would not be altogether unnecessary, to adde this brieft answer by way of Appendix to my former discourse, that so if it came to any of these Gentlemens hands (seeing both the weakenesse and the wickednesse of their so much admired and adored Idoll) they might reforme their error, and embrace the truth. The summe of which discourse, I have drawne into these five following heads; the residue being not worth the answering, or already answered in the former part of this Book.

An Appendix.

ARGUMENTUM I.

**M**oses in the book of Genesis sets downe no Law of Priesthood, or tithing of force with Gods people in those dayes; therefore the instances of Melchisedeck and Iacob, brought to proove the divine right of tithes, proove nothing in this question, that they were of generall and necessary use in those times.

Respon. 1.

First, we say that the Church of God was then contained in one, or a very few families; so that there was no necessitie of a generall Law, either of Priesthood or tithes: the eldest in the familie being as a Priest to the rest.

Secondly, God taught not his Patriarchs *lege scripta*, as he did his Church afterward; but *speciali instinctu*, by speciall revelation and instinct, which to them was *instar legis supra legem*, as sure and strongly binding as any written law: God himselfe being their Priest, revealing himselfe & his will by dreams and visions; and immediately blessing his Church, as after he did by his Priests and Prophets, *Vrim* and *Thummim* under the Law; and by his Apostles, Evangelists, and Pastors now under the Gospel.

Thirdly, hee that hath but halfe an eye may perceive that Moses in his book of Genesis doth not write an exact continued story of all things, as he doth in his other books, but onely so much as may shew the continued successe of Gods Church from family to family, untill such time as God established a Nationall church visible to the eye of the world, together with some other occurrences, as were worthy the knowledge of Gods Saints, either to be imitated or avoyded in all succeeding ages: so that if there had been mention made of tithes payd but once in that story, it had been sufficient premises to have drawne a necessary conclusion for the generall practise of those times. But to have two such remarkable examples; the one of Abraham

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the father of the faithfull ( the Iewes not onely after the flesh, but after the spirit, the Church Evangelicall ) paying tithes not to a Legall Priest, but to Melchisedeck, the Typicall Priest of the New Testament; the other of Iacob ( the head of Israels family, and the Iewish Church after the flesh, in whose family the visible Nationall church of the Iewes was first founded and established ) vowing the tenth of his estate to God, the then immediate Priest of his Church. These two instances, I say, of Abraham and Iacob rendring to God by way of thankfulness for his blessings, not an eighth, ninth, eleventh, or twelfth, but in a *quota* of tenth ( the same *quota* beeing established afterward by God so soon as ever he settled a Church and Priesthood ) are sufficient to enforce the generall practise, not onely for those times, but for all succeeding times, so long as God should continue a Church or Priesthood, or at least till he should prescribe some new law to the contrary.

But against these instances he makes many exceptions. First, against the practise of Melchisedeck he alleadgeth, that this Melchisedeck was Christ himselfe, appearing in the forme and shape of a man, and blessing Abraham.

*Object.*

First, both David and Paul crosse this assertion, who make Melchisedeck a type of Christ, P s A L. 110. and H E B. 7. unlesse we will make Christ a type of himselfe.

*Solut. 1.*

Secondly, say we should graunt this; what would then follow, but that Christ ( beeing the *everlasting Bishop of our soules, the same yesterday, to day, and for ever*; upon whose Priesthood all other Priesthoods have sole dependance; of whom all other Priests are either types, or to whom they are substitutes ) blessing Abraham, & receiving tithes in lieu thereof, in the person, office, and order of Priesthood, and that before the Law established, must needs inferre the payment of tithes in their *quota* to Christ and his Priests throughout all generations? Yea, to have a Priest no sooner named in the book of God, but

*Solut. 2.*

tithes to him paid, doth so necessarily conjoyne them, that none but he that will make himselfe a professed enemy to Christ and his Priests can disjoyne them.

Object.

But we reade that the Egyptians had Priests who received no tithes; therefore Priests and tithes are not *relata* so necessarily conjoyned.

How prooves he this assertion? Wee finde mention onely of their lands, & allowance made by the King in the time of famine; therefore they had no tithes. Martin Mar-prelate to a haire.

Solut.

Why should not Moses his mentioning tithes payd by Abraham and vowed by Iacob, as well proove the affirmative for the practise of Gods Church and people for the payment of Tithes? or what hath Baal and his service to doe with God and his service? I have read that the heathen have been Apes to Gods people, for the manner of divine worship, but never that the Saints were to be regulated by the heathen. But to shape an answer to the objection, why may not I say that the King of Egypt receiving a fifth part of all increase of his land, included in that fifth the Priests tenth; maintaining them in the time of dearth out of his owne store? By which meanes hee did not onely take from the Priests the envy of the people, but maintained them & theirs better then otherwayes their lands & tithes would have done. Sure I am that many a Minister in these dayes who hath a competent living in time of plenty, would be glad the King would take the like care for him in time of scarcity: all that he can say against me is but a *non est scriptum*, Moses writes not so much: howsoever sure I am there is a *scriptum est*, first against his sacrilege; for when the King bought all the land of his people, hee bought not the Priests land: secondly against his contributory competency; for the Egyptian Priests lived not of the contribution of the people, but had lands of their owne, and when those lands were not able to relieve them, the King left them



## An Appendix.

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them not to the mercy of the people, but maintained them out of his owne store.

Against the practise of Iacob hee thus reasons; Vowes are to bee made onely of things indifferent, such things as are in our power to doe, or not to doe; but Iacob vowed tithes; therefore the payment of tithes is not necessary but a thing indifferent.

Object.

First, I answer that the law of vowing or vowes, was made after Iacob, and therefore if there were any such clause in it, yet it bound not Iacob: if hee say the law made by Moses serves as a rule for all ages, why then not the law of tithing, which he cannot deny, but under the Law was a duty necessary? But to draw neer to an answer, Vowes, saith the Author, were to be made of things onely indifferent, not necessary. I aske then whether wee may sweare to the performance of things necessary; if we may, then wee may vowe to performe whatsoever wee may sweare to performe: but wee may sweare the performance of things necessary: *ergo*.

Solut.

Obedience to Kings is a thing necessary, R O M . 13 . 1; but we may sweare obedience to Kings. To forsake the Devill and all his workes is a duty necessary; but wee may not onely vowe this in baptisme, but take the Sacrament after to binde us to the performance of that vowe: nay if wee may not vowe things necessary, why did Iacob vowe that the Lord should be his God? And whereas vowes are defined to bee *promissiones spontanea* voluntary promises and actions, they are not so tearmed in relation to the substance and matter of the things vowed, but to the persons vowing, and the law whereby no man is bound necessarily to make a vowe of any thing. But for the thing vowed, if it be a thing in it's owne nature lawfull to be done, be it of things necessary or indifferent, it must be performed; As for the instance of Iephtha's, Saul's, and the Israelites vowes, the things vowed were unlawfull and

Object.

therefore prove nothing to this question.

But tithes were Gods owne before, as is alleadged; then was it idlenesse in Iacob to vow them. And hee confirms his assertion thus; God forbad the children of Israel to vow their first borne, because they were his owne before.

Solut.

First, I say as before, that a law made many yeares after, bindes not for the time past. Secondly, observe the wickednesse of this man, who rather then Iacobs practise shall be of force to prove the divine right of tithes, will make Iacob to be both an idle and wicked companion, doing things not onely unnecessary, but unlawfull. Thirdly, suppose God had made such a law concerning the first borne; what is that to tithes, unlesse God had made the like law for them? Fourthly, where doth he finde such a law, wherein God forbad the Israelites to vowe their first borne, because they were his? I read in the last of Leviticus of such a lawe made concerning the firstlings of beasts, as of oxen and sheep, but not of man or ought els; nay, in the same Chapter and elsewhere, God gives expresse command for the sanctification of the first borne of man, though not for the office of Priesthood, as before: because Levi was now chosen to that office; yet to be at Gods disposall and command. And for the lawfulnessse of vowing the first borne, it is evident in Annas vowing Samuel. Lastly, in the said Chapter there is a law of tithing expressed both for *matter* and *manner*, *what* and *how* they ought to be paid, and how to be redeemed. But nothing either in that place, or any els impugnes the lawfulnessse of vowing them to the Lord. And thus much for the first argument.

#### ARGUMENTUM II.

**T**He distinction of Parishes was and is humane, and of humane constitution, not divine; therefore tithes are onely humane, and of humane constitution.



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*Respons.*

If I should deny his proposition, & say that all distinctiō of Parishes was not, is not humane, and of humane constitution, I could more easily proove my negative then he his affirmative: but the consequence is so infirme, I may spare that labour. For tithes were not therefore given and paid, because Parishes were divided; but Parishes were divided that tithes might in a convenient and competent manner be conferred upon Gods Ministers according to their merits, and the quantitie, quality, and estate of the persons and places committed to their charge. And for the truth of his conclusion, I may as well reason thus; Set times of prayer, of preaching, and administering the Sacraments are of humane constitution; therefore prayers, preaching, and the Sacraments are humane. But I see the drift of this Gentleman; he would have both humane and divine Law to binde all Gods Ministers strictly to their task of preaching, &c. but the people at libertie what to give them for their paines, or at most, bound onely by mans law, which this Gentleman and those of his opinion hold themselves bound to observe no longer then they shall like and approve of their Ministers. And indeed this is one argument whereby hee labours to infringe the divine right of tithes.

God established no speciall law for the punishment of such as should detain tithes; therefore they were not morall. But hee forgeteth, that as God chose Levi under the Law, and chooseth all lawfully called Ministers under the Gospel, to and for his speciall service, to teach, blesse, and pray for his people, giving them his owne portion of tithes for their inheritance, accounting the honour done to them as done to himselfe, the robbing them the robbing of himselfe; so hath he promised that he in a speciall manner will be their revenger: And it is a fearefull thing to fall into the hands of the living God; as the Jewes did often by experience too well know even for this verie

finne

*Object.**Solut.*

sinne in speciall. Or if this answer will not satisfy, I adde further, that as Solon ordaining lawes, made none against the sinne of Paricide, because he thought no man could be so inhumanely cruell, as to commit it: so God (I speake with reverence to his prescience and omniscience) thought no man to bee so gracelesly unthankfull, as to deny a tenth to him from whome he received the whole; and therefore made no law for the punishment of such offenders.

### ARGUMENT. III.

**T**He third argument may thus be framed; Where there is an end of the worke, there the wages cease: but the worke, in recompence whereof tithes were by God given, is at an end: therefore tithes.

The *minor* they thus proove; Tithes were given for the service of the Tabernacle; but the Tabernacle and service thereof are at an end; *ergo*. The service of the Tabernacle for which God gave tithes, consisted in carrying the Tabernacle, offering Sacrifices, with the performance of other ceremoniall rites and services; but all these are ceased; *ergo*.

*Resp.*

For answer, though I might justly deny the first proposition, that where the worke is changed there must needs be a change of the wages (one and the same wages being given for workes of diverse kindes) yet I will not insist thereupon, but will examine the Levites worke with their wages, setting downe certaine *Theses* as necessary conclusions, by way of answer to the former objections.

First for wages; And here not to speake of the first fruits, freewill offerings, and oblations &c. but onely to insist upon the wages of tithes, wee reade in the Scripture of a fourefold tithe in use amongst the Iewes, and that by God his speciall appointment.

The first was called the tithe of inheritance, or the  
tithe



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*tithe of all the increase of the seed that the field brought forth every yeare, DEUT. 14. 22.* together with a tenth of whatsoever passed under the rod, or what els they possessed; This was separated in the field before they might bring ought into the barne, or might intermedle with any thing for their owne use.

The second is mentioned DEUT. 14. 23. and was called the *second tithe*, which was a full tenth of the nine parts, remaining after the deduction of the first tenth, and which was to be eaten before the Lord, in the place wherein he should put his name, by the Owners, Priests and Levites, at the time of their publick Feasts and solemne assemblies: And both these were to be payd yearly; neither might the people use any of the rest till such time as these two tithes were separated from it; the latter whereof might be changed into money, vers. 25. but the former not.

The third was a third tenth payable onely every third yeare, and so was called the *tithe of the third yeare*, which was a tenth part, for *quota*, out of the eight parts remaining, the two former tithes first deducted; which was layd up within the gates of their severall Cities for the releife of the *Levite, the stranger, fatherlesse, and widows within their gates*; DEUT. 14. 28. 29.

The fourth was *decima decima*, the tenth of a tenth, the tenth part of the tithe of inheritance, offered by the Levites as an heave-offering to the Lord for the use of Aaron the Priest, and accounted to the Levites as the increase of the threshing-floor, and the increase of the winepresse: after which, and not before, they might account the tithes their owne, which they might lawfully eat in every place with their households.

In which particullar donation and constitution three things are remarkable; First, that this heave-offering of their tithes should be reckoned to the Levites as

N

though

though it were the corne of the threshing-floore, and the fulneſſe of the winepreſſe. Secondly, they might not without ſinne rate any of their tithes before they had paid out this tithe; intimating in my poor judgement thus much unto the Levites, that when the time ſhould come that the Prieſthood ſhould ceaſe from their Tribe, and themſelves ceaſe from the ſervice of the Tabernacle, enjoying inheritance of lands, and dreſſing and tilling them as the reſt of their brethren; yet then ſhould not all Prieſthood ceaſe, nor tithes to that Prieſthood, nor yet might they exempt themſelves from paying tithes, becauſe they were deſcended from Levi's loynes; but they ſhould pay a full tenth of their corne and wine, and other ſubſtance, as they formerly had done out of their inheritance of tithes, unto whomſoever it ſhould pleaſe the Lord to conferre the office of Prieſthood; neither ſhould they account ought their owne, untill they had ſo paid their tithes. Thirdly, this tenth being paid, it was lawfull for them to eat the reſt, not onely at Ieruſalem, but in any other place where their houſhold remained. So much for the Wages.

The Service of the Tabernacle was ſuch as the Prieſts and Levites were to performe, either about, within, or without the Tabernacle.

By their ſervice about the Tabernacle, I underſtand the preparing of it for carriage, and the bearing thereof. NUMB. 4.

Their ſervice within the Tabernacle, was partly Ceremoniall and Typicall, and partly Morall.

The Ceremoniall was either of the *Sanctum Sanctorum*, the Tabernacle of Witneſſe, EXOD. 25. or *Sanctum*, the Tabernacle of the Congregation, EXOD. 26. Now the ſervice hereof was about the Candleſticks, Shew-bread, LEVIT. 24. the golden Altar of incenſe, EXOD. 30. the braſen Altar, EXOD. 27. appointed for burnt-offer-

ings,



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ings, LEVIT. 1. 2. 3. peace-offerings, LEVIT. 3. 1. 6. sinne-offerings, LEVIT. 2. 4. 5. &c.

The Morall service within the Tabernacle, I call reading and expounding the Law, the celebration of publick prayers, blessing the people at the end of solemne assemblies, &c. unto which I may add the power of the execution of Ecclesiasticall censures.

Their service without the Tabernacle was either Civill and Iudiciall, consisting in the hearing & determining matters of controversie in all the quarters of Israell, for the better maintenance of piety and religion; or els Morall, as the teaching & instructing their children in their severall Cities in the knowledge of the severall lawes, the better to fit them for the service of the Tabernacle, being Masters of the Schools; or els in reading and expounding the Law, and celebrating of publick prayers out of Ierusalem, remote from the Tabernacle, either within their owne Cities, whereunto the Iewes generally resorted on Sabbath daies and at other times appointed (as some are of opinion) or els within the severall Cities of Iudah and Israell, as may be gathered by that charge so often repeated by the Lord, *to have speciall respect to the Levites within their gates.*

And of these services, some were proper to the Priests, some to the Levites, some common to both. The which who so desires to know, shall finde them in the books of Moses, and 1. CHRON. 9. 23.

From these premises these Conclusions will follow.

1. Tithes were not given to the Levites, as the sonnes of Levi, but because God had selected that Tribe for the office of the Priesthood, and service of the Tabernacle, and as assistants to the Priests in the celebration of Divine worship: So if I graunt (which you cannot deny) that Priests & Divine worship stand in force; then tithes must necessarily be yeelded as due. And I presume this is one

Numb. 18.  
1. 2. 3. 6.

chiefe reason, why the name of *Priest* is so odious to the Laity, because it infers a necessity of payment of *tithes*.

2. In the donation of tithes of inheritance, under the name of the Levites family is included Aaron & his family, as may appeare, not onely because they communicated with them in their tithes, but all the places of Scripture wherein the graunt is made, enforce no lesse, as will appeare by comparing of places, *DEVT. 10. NV MB. 18. 20.*

3. So farre forth as the Priesthood and service thereof was Leviticall, & tyed to a certain Tribe, family, number, habit, forme, and externall order of Legall service, yea in all respects wherein it was a Type of Christ, or had ought to doe with things Typicall, So it is ceased, but not otherwise.

4. The tithes of inheritance were not given simply for the service of the Altar, nor yet for carrying of the Tabernacle, by which service this Author and all men generally understand the service of the Tabernacle. For first, the service of the Altar was proper to the Priests onely, *NV MB. 18.* Secondly, in lieu of the service of the Altar the Priests had an other allowance, and that by Gods speciall appointment, *NV MB. 18. DEVT. 18.* which allowance, for the *quota*, is ceased together with that service. Thirdly, if tithes had been the wages of the service of the Altar, then those onely who had been imployed in this service had been partakers thereof; but not onely those imployed about and within the Tabernacle and Temple, but those without might partake of tithes, *ergo &c.* Neither could the carrying of the Tabernacle be the service; for the Levites ceased from that service after fifty yeares of age, during the continuance of the Tabernacle; and after the establishment of the Temple, this service ceased, *1. CHRON. 23.* and yet they partaked of tithes.

5. It remaineth that the service, for which tithes were properly given, was reading the Law, expounding  
the



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the Law, performing of publick prayers, with the rest of the Morall and Iudiciall service both within and without the Tabernacle.

Lastly, These services are the same for substance under the Gospel, as they were under the Law, and as necessarily required of the Priests and Ministers now under the Gospel, as they were under the Law of the Priests & Levites; therefore, the service being the same by this Adversaries owne confession, the wages must needs be the same.

But against this he objects, and that with many bitter invectives against Doctor Carlton & the rest, That we never reade that the Levites read or expounded the Law: & he forceth this exception by that of our Saviour, who told the Iewes, that the Scribes and Pharises sat in Moses his Chaire; but the Scribes and Pharises were not Levites.

Object.

*Risum teneatis amici?* is it possible that a man should so peremptorily accuse so reverend a Bishop, so grave and judicious a Knight, and divers other learned Divines, of ignorance in the Scripture, and yet he himselfe never have read NEHEM. 8. 7. I. CHRON. 23. 30. EZRA. 7. 11. I. CHRON. 24. 6? Or that so great a Rabby, so universally skilfull in all learning and story, as this Author would have the World esteem him to be, should be ignorant that the name of *Scribe* was the name of a Function and not of a Sect; amongst whom there were as well γραμματεῖς τῶναῦ as γραμματεῖς τῆ λαῦ, νομοδιδάσκαλοι, as νομικοί, Temple-Scribes as Towne-Scribes; Scribes, to whom the custody, writing reading, and expounding the Law of God was committed, as Scribes unto whom the custody, writing, and expounding the Records and Lawes of the King and Kingdome were entrusted (the which office of Temple-Scribes was proper onely to the sonnes of Levi) and that the name of *Pharisee* was the name of a Sect and not of a Function; amongst whome there were Priests and Levites and men

Solut.

of all professions, as at this day there are amongst *Brownists, Familists, Anabaptists*, and other *Sectaries*?

### ARGUMENT. II II.

*Object.*

**T**He fourth maine objection is drawne from the small number of Ministers now under the Gospel, in respect of those under the Law; the Priests and Levites being a twelfth part of the Israelites, whereas now they are hardly the hundreth part of the people; and it is not like that God would allow so great a portion of maintenance to so small a number. This is an usuall Argument both with this Author, and frequent in the mouthes of all Decato-masticks.

*Solus.*

To which I first answer, that howsoever the number of Ministers be not the same, yet God is the same, & his right in tithes is the same; and may not God do what he list with his owne? Gods waies are not as mans, neither is he bound to means, or alligated to number; but he can worke as well by few, as by many; much lesse is he bound to bestow those things which are his, according to mans judgement, or at mans appointment. Suppose God had chosen onely Aaron and his family to receive his part of tithes, as he did to the office of Priesthood; had it not been as great a sinne for the Israelites to have denyed them tithes, because their number was so small, as it was for Korah, Dathan, and Abiram to contest with them about their office of Priesthood? And no lesse a sinne doe they commit, who make this an argument to infringe Gods right of tithes to his Ministers, because they are fewer then were the Priests and Levites.

2. I cannot choose but wonder that this Author, or any of his strain, should make this an argument to oppose the right of tithes, when as in their right understandings, and when they speake the truth from their hearts, they think the number of Priests that receive tithes in

these



*An Appendix.*

these daies to be too great; yea, conditionally they might save their tithes, could be content there were no Priests, but that every man might bee a Priest to his owne family; preferring private conventicles before publick Assemblies.

Thirdly, were the maintenance for Ministers more, their number would soon increase: Let the times of Popery speake for *England*, when as the Church had gotten a third of the land into their possessions (and the like we may see in other Countries) and I doubt not, but if there were now the like maintenance, the name of *Priest* now so odious, would be held a name honourable.

Lastly, If wee shall examine the number of the Priests and Levites with their maintenance, as their first fruites, their *Therurah*, their two tenths, and portion in the tithe of the third yeare, their parts and portion of sacrifices, with their devoted oblations and freewill-offerings, and all these brought home at the cost & charges of the owners, and to these add their 48 Cities with their suburbs, and compare them with our number and maintenance; it will appeare that, for their number, their maintenance exceeded ours in these times, though we should pay the full tenth without fraud, coven, or deceit.

Had God now under the Gospel made us partakers of worse things, & a meaner Ministry then he did the Jewes under the Law, & with all had bound us to the like maintenance for his Ministers, we might have had cause to complaine; but for God to exceed in his blessings, to make us partakers of better things, and give us a more glorious Ministry, and yet not to require a tithe of that he required of the Jewes; to grudge and repine to render to God so small a pittance by way of thankfulness for so extraordinary blessings, favours more then Jewish covetousnes, heathenish impietie and sacriledge.

## ARGUMENT. V.

Object.

**T**He fift and laſt argument is layd downe by way of replication to an allegation made for to proove the divine right of tithes, taken from the Iudgements of God inflicted in all ages upon Impropriators and ſacrilegious perſons; to which he thus replyeth, That if Miniſters children who live upon tithes were examined, they would be found as very unthrifts, as the children of Impropriators.

Solut.

By which, as he ſhews his true love to the poore Clergie, ſo his great weakneſſe, greater wickednes: for we aſcribe neither the Childrens wickednes, nor unthriftines, to their Fathers ſacriledge; nor the conſumption of their eſtates, to their owne unthriftines: we acknowledge that grace and godlines is the gift of God in Regeneration, not of their fathers in Generation; ſo that oftentimes the beſt of men, not onely Miniſters, but others, have moſt graceles children, & *à contrà*.

2. Though true it be, that oftentimes this is the unhappy caſe of Gods Miniſters, and the oftner by reaſon of the Impropriators detaining the means, whereby they ſhould both maintaine themſelves and educate their children; or otherwiſe by other wicked practiſes, ſuits, and contentions of malicious and factious ſpirits, whereby they are not only diverted from the duties of their callings, but from the care of their private families; yet it is not the univerſall caſe of all Miniſters children, but God be bleſſed there are and have been in all ages happy ſucceſſions of their children for divers generations. But he cannot inſtance the like in the children of Impropriators, for they have univerſally fayled in all places and ages.

Laſtly the wonderment in this particular is not becauſe their children are unthrifts, but this, that their children being in ſhew as great good husbands as their Forefathers, yet their eſtates by a third generation are utterly waſted and conſumed, or their names wholly extinct; ſo that they

are



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are forced to confesse for the justification of themselves the truth of that of Solomon, The holy thing left by their fathers, or gotten by themselves, hath privily eaten up both it selfe and all their other substance. I will conclude with the words of holy Hierome, spoken in the person of the Lord: *Quia mihi non reddidistis decimas & primitias, idcirco in fame & penuria maledicti estis — & pro decimis & primitiis, quæ parva erant si à vobis darentur, ubertatem possessionum vestrarum, & omnem frugum abundantiam perdidistis. Ut autem sciatis me hoc irascente perfectum, quia fraudastis me parte meâ, hortor vos atq; commoneo, ut inferatis decimas in horrea, hoc est, in Thesauros Templi, & habeant sacerdotes, atq; Levitæ qui mihi ministrant, cibos; & probate me si non tantas pluvias effudero, ut cataractæ cæli apertæ esse credantur. Et effundam vobis benedictionem usq; ad abundantiam.*

In comment.  
super Mal. 3

Because ye have not given me tithes and first fruits, therefore are ye cursed with want and hunger, and by reason of the defalcation of those dues (which had been but little, though truly paid) therefore your Harvest and Substance is blowne upon. And that you may know, that I take speciall notice of such offences, I advise and warne you to bring all the tithes into the store-houses, that there may be meate in my house for the Priests and Levites, and then proove me if I will not open the windowes of heaven, and poure you out a blessing in such abundance, that there shall not be room enough to receive it.

## FINIS.

## ERRATA.

Pag.	lin.			
29	2	pro	first quota	lege first quota.
44	25		denied tithes	denied those tithes.
57	22		fleece the Clergy	flea the Clergie.